



**CITY OF REDMOND**  
**APPEAL APPLICATION FORM**

(Staff Use Only)

File No: \_\_\_\_\_  
Date Received: \_\_\_\_\_  
Receipt No. \_\_\_\_\_

**To file a land use appeal, please complete the attached form and pay the applicable appeal fee by 5:00 p.m. on the last day of the appeal period.**

**Form submission and payment must be by PERSONAL DELIVERY at City Hall 2<sup>nd</sup> Floor Customer Service Center c/o Office of the City Clerk-Hearing Examiner, 15670 NE 85<sup>th</sup> Street. Contact the Office of the Hearing Examiner with process questions at 425-556-2191.**

**Standing to Appeal:**

- **Appeal to the Hearing Examiner of an Administrative, Technical Committee or Design Review Board Decision (Type I or II)** - the project applicant, owner, or any person who submitted written comments (party of record) prior to the date the decision was issued may appeal the decision. The written appeal and the applicable fee must be received by the City of Redmond's Office of the Hearing Examiner no later than 5:00 p.m. on the 14<sup>th</sup> calendar day following the date of the decision.
- **Appeal to the City Council of a Hearing Examiner decision on an appeal (Type I or II)** - the project applicant, owner, City staff, or any party who appealed the department director's or Technical Committee's decision to the Hearing Examiner. The written appeal and the applicable appeal fee must be received by the City of Redmond's Office of the Hearing Examiner no later than 5:00 p.m. 10 business days following the expiration of the Hearing Examiner's reconsideration period.
- **Appeal to the City Council of a Hearing Examiner (or Landmarks and Heritage Commission) decision on an application (Type III)** - the project applicant, owner, City staff, or any person who established themselves as a party of record prior to or at the public hearing. The written appeal and the applicable appeal fee must be received by the City of Redmond's Office of the Hearing Examiner no later than 5:00 p.m. 10 business days following the expiration of the Hearing Examiner's (or Landmarks and Heritage Commission's) reconsideration period.

Should the appellant prevail in the appeal, the appeal application fee will be refunded (City of Redmond Resolution No. 1459). The appeal application fee will not be refunded for appeals that are withdrawn or dismissed.

City Council decisions may be appealed to Superior Court by filing a land use petition which meets the requirements set forth in RCW Chapter 36.70C. The petition must be filed and served upon all necessary parties as set forth in State law and within the 21-day time period as set forth in RCW Section 36.70C.040. Requirements for fully exhausting City administrative appeal opportunities must be fulfilled.

**Please continue to page 2 to select your appeal type.**

**Please check the applicable appeal:**

- ☐ Appeal to the Hearing Examiner of a SEPA decision *RZC 21.70.190(E)*. **(Please be sure to understand the type of SEPA appeal you are filing, and if a further appeal to the underlying action is needed.)**
- ☒ Appeal to the Hearing Examiner of an Administrative, Technical Committee or Design Review Board Decision (Type I or II) *RZC 21.76.060(I)*
- ☐ Appeal to the City Council of a Hearing Examiner decision on an appeal (Type I or II) *RZC 21.76.060(M)*
- ☐ Appeal to the City Council of a Hearing Examiner (or Landmarks and Heritage Commission) decision on an application (Type III) *RZC 21.76.060(M)*

**Section A. General Information**

Name of Appellant: (1) Thomas Short, Jr. & Andrea Short, husband and wife;  
(2) Hamid Korasani, P.E. of SAZEI Design Group, LLC

Address: (1) 540 8th Ave. SE, (2) 6608 110th Ave. NE

City: (1) Kirkland, (2) Kirkland State: (1) WA, (2) WA Zip: (1) 98033; (2) 98033

Email: (1) int.services@frontier.com; (2) hamidkorasani@yahoo.com

Phone: (home) \_\_\_\_\_ (work) (425) 214-2280 (Hamid) (cell) (425) 864-2076 (Tom);  
(425) 864-2715 (Andrea)

Name of project that is being appealed: Tom Short Duplex

File number of project that is being appealed: DEVREQ-2017-00464/BPLN-2015-02128

Date of decision on project that is being appealed: May 18, 2017

Expiration date of appeal period: June 1, 2017

What is your relationship to the project?

☒ Party of Record    ☒ Project Applicant    ☐ Government Agency

Pursuant to the Redmond Zoning Code, only certain individuals have standing to appeal a decision on application or appeal (See page 1 above). Below, please provide a statement describing your standing to appeal, and reference all applicable City Code citations.

Appellants are the project Applicants, owners of the subject property, and parties of record.

See RZC 21.76.060(I)(2)(a) & (I)3.

**Section B.**     **Basis for Appeal**

Please fill out items 1-4 below. Reference all applicable City Code citations and attach additional sheets if necessary.

1.     Please state the facts demonstrating how you are adversely affected by the decision:  
Please see attached letter, dated May 31, 2017.

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2.     Please provide a concise statement identifying each alleged error of fact, law, or procedure,  
and how the decision has failed to meet the applicable decision criteria:  
Please see attached letter, dated May 31, 2017.

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**If appealing a Hearing Examiner decision:** Please provide the findings of fact or conclusions  
(as outlined in the Hearing Examiner's decision) which are being appealed:  
Please see attached letter, dated May 31, 2017.

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3. Please state the specific relief requested:

Please see attached letter, dated May 31, 2017.

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4. Please provide any other information reasonably necessary to make a decision on the appeal:

Please see attached letter, dated May 31, 2017.

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**Do not use this form if you are appealing a decision on a:**

- Shoreline Permit (must be appealed to the State Shoreline Hearings Board *RZC 21.68.200(C)(6)(b)*)
- Shoreline Variance or a Shoreline Conditional Use Permit (must be appealed to the State Shoreline Hearings Board *RZC 21.68.200(C)(6)(c)*)
- Hearing Examiner decision on a SEPA appeal (not an appealable action as successive appeals are not allowed *RZC 21.70.190(D)*)
- City Council approval or denial (must be appealed to Superior Court *RZC 21.76.060.Q*)





SAMUEL A. RODABOUGH  
ATTORNEY AT LAW  
11820 NORTHUP WAY, STE. E200  
BELLEVUE, WA 98005  
(425) 440-2593  
(425) 635-7799 (FAX)

May 31, 2017

*Via Hand Delivery*

Customer Service Center  
c/o Office of the City Clerk/Hearing Examiner  
City of Redmond  
15670 NE 85th St.  
Redmond, WA 98073-9710

**Re: *Appeal of Deviation Request Denial, DEVREQ-2017-00464*  
Tom Short Duplex Project**

To whom it may concern,

This Firm represents appellants Thomas Short, Jr. & Andrea Short, husband and wife (collectively "Short"), and appellant Hamid Korasani, P.E. of SAZEI Design Group, LLC ("Korasani"), in this appeal. Short and Korasani are collectively referred to herein as the "Appellants." This appeal challenges a decision of the Technical Committee to deny a deviation pertaining to the undergrounding of utilities for the construction of a duplex on real property located at 13404 NE 100<sup>th</sup> St., Redmond, WA 98033 ("Subject Property"). The following letter is intended to be submitted with, and is hereby incorporated into, the accompanying City of Redmond Appeal Application Form ("Appeal Form"). The following paragraphs correspond to those set forth in the Appeal Form.

**A. General Information:**

1. The names, addresses, email addresses, and phone numbers of Appellants are as follows:

Thomas Short, Jr. & Andrea Short  
540 8th Ave. SE  
Kirkland, WA 98033  
int.services@frontier.com  
(425) 864-2076 (Tom)  
(425) 864-2715 (Andrea)

Hamid Korasani, P.E.  
SAZEI Design Group, LLC  
6608 110th Ave. NE  
Kirkland, WA 98033  
(425) 214-2280  
hamidkorasani@yahoo.com

*Contact only through legal counsel*

*Contact only through legal counsel*

The name, address, email address, and phone number of Appellants' legal counsel is as follows:

Samuel A. Rodabough  
Law Office of Samuel A. Rodabough PLLC

11820 Northup Way, Ste. E200  
Bellevue, WA 98004  
sam@rodaboughlaw.com  
(425) 440-2593

2. The name of the project and file numbers for the project that is the subject of this appeal is as follows:  
  
Tom Short Duplex, DEVREQ-2017-00464, which is related to BPLN-2015-02128 and BLDG-2015-08536.
3. The Date of the decision that is the subject of this appeal, and the appeal deadline are May 18 and June 1, 2017, respectively. A copy of the decision that is the subject of this appeal is attached hereto as **Exhibit A** ("Decision").
4. Status of Appellants, RZC 21.76.060(I)(2)(b)(i).

Appellants Short are the project applicants, owners of the subject property, and parties of record. *See* RZC 21.76.060(I)(2)(a). *See* also RZC 21.76.060(I)(3) (stating that the "appellant...[and] owner(s) of property subject to the application" are parties to the appeal). Appellant Korasani is also a project applicant and party of record. As explained in greater detail below, Appellants are aggrieved by the Decision, as it incorrectly applies City Code and will result in the needless expenditure of potentially more than \$100,000 to underground the utilities, despite the fact that there is no demonstrable benefit to undergrounding for this project and said undergrounding may exacerbate public safety concerns. Appellants are further aggrieved for the reasons set forth in the letter to the City from the undersigned, dated May 5, 2017 ("Attorney Letter"), and the letter from Appellant Korasani to the City, dated May 4, 2017 ("Engineer Letter"), attached hereto as **Exhibits B and C**, respectively, and incorporated herein by reference. The Attorney letter and Engineer Letter are collectively referred to herein as the "Deviation Application."

## **B. Basis for Appeal**

### **1. Facts demonstrating how Appellants are adversely affected by the Decision. *See* RZC 21.76.060(I)(2)(b)(i)**

The Appellants own the Subject Property described above, which is located within the Residential Innovative Zone ("RIN Zone"). The Appellants have applied to the City for the construction of a duplex thereon and have requested a deviation to maintain existing overhead utilities as part of their proposed project. The City denied the deviation request. The denial of the deviation request adversely affects the Appellants as follows:

First, the Appellants' project should be exempt from any requirements to underground utilities. Specifically, the subject property is located within the Residential Innovative Zone ("RIN Zone"). The express purpose of the RIN Zone is to "promot[e] diversity in the size, type, and

price of new single-family homes.” RZC 21.08.070 (emphasis added). Critically, for purposes of the RIN Zone, duplexes are expressly considered single-family homes. *See* RZC 21.08.360(A)(2) (defining “single-family housing” in the RIN Zone to include “smaller dwelling units such as a cottage, size-limited dwelling or duplex.”)(emphasis added). *Cf.* RZC 21.08.070B (allowing duplexes as a permitted use in the RIN Zone). Categorizing duplexes as single-family homes in the RIN Zone is presumably for the purpose of ensuring the desired and aforementioned diversity of the type and price of housing stock available in the RIN Zone.

As indicated, the undergrounding of utilities is governed by RZC 21.17.020. The City has a past pattern or practice of interpretation and application of RZC 21.17.020 that has excluded the construction of single-family residences or minor residential development from its requirements. Indeed, the City’s prior denial of the Appellants’ deviation request, dated March 3, 2017, reflects the City’s longstanding interpretation of RZC 21.17.020: “Per Redmond Zoning Code 21.17.020, undergrounding overhead utilities is required except for single-family house or minor residential development.” However, as indicated above, for purposes of the zone in which the Subject Property is situated, duplexes are expressly defined as single-family residences. *See* RZC 21.08.360(A)(2) (defining “single-family housing” in the RIN Zone to include “smaller dwelling units such as a cottage, size-limited dwelling or duplex.”)(emphasis added). As such, the Appellants’ project should be exempt from any requirement to underground overhead utilities. In short, the Appellants are aggrieved because they are being required to comply with regulations for which their project is exempt.

Second, the very purpose of the RIN Zone is to promote the construction of comparably smaller, more affordable, residential units than other sectors of the City. As documented by Mr. Korasani, the undergrounding of utilities for this project, in light of the configuration of existing overhead utilities, will cost in excess of \$100,000, or approximately 20% of the entire cost of the proposed duplex. This exorbitant cost is not objectively reasonable, especially in light of the demonstrable lack of corresponding public benefit. Moreover, the City’s attempt to target duplexes (which are permitted outright in the RIN Zone) for a higher standard of improvements than other types of housing, is contrary to the promotion of the very mix of housing that the RIN Zone was specifically designed to encourage. Here, the requirement to underground overhead utilities is contrary to applicable legislative intent in adopting the RIN Zone. In short, the Appellants are aggrieved because they are being subject to a requirement (and associated, objectively unreasonable costs), that is contrary to the very purpose of the zone in which the Subject Property is situated.

Third, because of the unique aspects of the Subject Property and the accompanying project, the requirement to underground utilities is contrary to the express legislative purposes of RZC 21.17. As confirmed by PSE, in order to underground existing overhead utilities lines, the power pole at the corner of 134th Ave. NE and NE 100th St. must be removed. Removal of this pole will require installation of three new poles at the edges of where the underground conversion will go as follows:

A-One at the NW corner of the Subject Property;

- B- One at the SE corner of the Subject Property; and
- C- One on the other side of 134th Ave NE (west shoulder).

Clearly, mandating the undergrounding of utilities, which would require the addition of three utilities poles for this project, is directly contradictory to the express legislative goals in RZC 21.17.020. Rather than removing safety hazards, the addition of 3 new power poles would actually decrease public safety and create new hazards. Moreover, the addition of three new unsightly utility poles would not improve the appearance and aesthetics of the public ways, but would only serve to exacerbate any real or perceived public concern regarding aesthetics. In short, the Decision requires the Appellants to exacerbate conditions of safety and aesthetics, among other concerns.

Additional facts demonstrating that the Appellants are adversely affected by the Decision are set forth in Deviation Application incorporated by reference herein. To summarize, the Decision requires the Applicants to underground utilities for the construction of a duplex in contravention of the City Code and applicable legislative intent. As explained below, this project should be exempt from the requirements of 21.17 RZC by the express terms therein. Moreover, the requirement to underground utilities for this project will result in the needless expenditure of upwards of \$100,000, despite the fact that there is no demonstrable benefit for undergrounding utilities for this specific project, and the RIN zone in which the Subject Property is located is intended to accommodate affordable construction methods and housing. Additionally, because of the unique aspects of this project, the undergrounding of utilities will ironically require the addition of several utility poles, which contravenes the very purpose of requiring the undergrounding of utilities under chapter 21.17 RZC. For these reasons, and as explained in greater detail below, the City should determine that the project is exempt from the requirements of 21.17 RZC by the express terms therein, or grant a deviation from the requirement to underground utilities, if such a requirement exists.

**2. Concise Statement Alleging Errors of Fact, Law, and/or Procedure and the Applicable Review Criteria. *See* RZC 21.76.060(I)(2)(b)(ii)**

The Technical Committee erred, and the Decision is erroneous, because they/it (1) engaged in an unlawful procedure or failed to follow a prescribed process, (2) erroneously interpreted the law, (3) reached a decision that is not supported by a preponderance of the evidence; and/or (4) reached a clearly erroneous decision. Specifically, the Technical Committee, and the Decision erred by

- Concluding that the undergrounding of utilities is required for this project under chapter 21.17 RZC. Specifically, as explained in detail above, this project should be exempt from any requirement to underground utilities under chapter 21.17 RZC as the duplex that is the subject of the application (1) constitutes single-family housing under

applicable Code provisions<sup>1</sup> and/or minor development, or (2) the duplex is not a “new commercial, industrial, or multifamily residential building,” among other arguments.

- Failing to consider, let alone address in its analysis, the facts and arguments raised in the Deviation Application, including but not limited to those facts that demonstrate that the purposes of undergrounding utilities, as set forth in RZC 21.17.020, would be thwarted if undergrounding is required for this project. Specifically, because of the unique circumstances of this project, undergrounding of utilities will actually result in a substantial net increase in the number of utility poles in the immediate vicinity. As such, the undergrounding of utilities will not (1) “[r]emove utility poles which are a hazard along streets,” or (2) “[i]mprove the appearance and aesthetics of public ways.” *See* RZC 21.17.020. Moreover, as a result of the substantial net increase of utility poles it is the undergrounding of utilities for this project will not (1) “[e]liminate safety issues caused by damaged overhead lines,” or (2) “[r]educe the number of service interruptions caused by storms.” *Id.*
- Failing to consider, let alone address in its analysis, any applicable deviation approval criteria. In short, the Decision only addresses chapter 21.17 RZC, including the threshold issue of whether the undergrounding of utilities is required thereby. However, in the event that the Appellants’ project is not exempt from the requirements of chapter 21.17 RZC, the very purpose of requesting a deviation from those requirements is to have the application considered under the applicable criteria for the granting of a deviation. Simply citing to the alleged standard that is the subject of the deviation request, without addressing the deviation criteria is clear error and circular reasoning.
- After erroneously concluding that the undergrounding of utilities is required by chapter 21.17 RZC, the Decision contains no reference to, or any analysis regarding, whether the project merits the approval of a deviation other than to observe that other projects in the vicinity are scheduled to have underground utilities. This latter observation fails to account for the unique aspects of the Subject Property and the project itself, as set forth in the Deviation Application, including the presence of a corner lot, the need for additional utility poles to underground the utilities, among others.
- The Decision omits any reference whatsoever to any applicable deviation decision criteria. Nonetheless, to the extent any such criteria exist, the proposal meets the criteria for the reasons set forth in the Deviation Application and fails to justify its denial by explaining why it doesn’t meet any applicable decision criteria. In the event that the City has no criteria for granting deviation requests, but the City nonetheless allows the filing,

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<sup>1</sup> *See e.g.*, RZC 21.08.360(A)(2) (defining “single-family housing” in the Residential Innovative Zone to include “smaller dwelling units such as a cottage, size-limited dwelling or duplex.”). *Cf.* RZC 21.08.070 (stating that the purpose of the RIN Zone is to “promote single-family housing” & RZC 21.08.070B (allowing duplexes as a permitted use in the RIN zone).

payment for, and processing of, said applications, the application should be approved as no criteria exist to justify a denial.

Although it does not appear that any applicable decision criteria are codified in City Code, the City does have a permitting bulletin on its website that references certain decision criteria for a deviation, namely the following:

- The deviation produces a comparable or improved result, which is in the public interest;
- The deviation meets requirements for safety, public health, function, fire protection, transit needs, appearance, maintainability, and any other criteria deemed relevant by the city;
- The deviation provides substantially equivalent (or improved) environmental protection as would be provided if the standard requirements were met;
- The deviation needs to reflect sound engineering practices;
- The deviation needs to avoid damage to other properties in the vicinity of and downstream of the proposal;
- Any deviation from the Standards that does not meet the Fire Code will require concurrence by the City Fire Marshal.
- As applicable for Overlake and Downtown RZC 21.76.070C Administrative Design Flexibility.

It is unclear if the above decision criteria apply to the requested deviation. Nor is it clear that the above criteria are codified anywhere in City Code. As such, Appellants reserve the right to assert their inapplicability to this matter. Nonetheless, out of the abundance of caution, Appellants address these criteria.

As indicated, this project should be exempt from any requirement to underground overhead utilities. However, in the event that the City concludes that the project is not exempt, a deviation should be granted that allows existing utilities to remain in their current location.

**a. The deviation produces a comparable or improved result, which is in the public interest.**

Granting the Appellants' deviation request will not produce a mere "comparable" result to the undergrounding of overhead utilities, but will actually produce an improved result that is more consistent with the intent of RZC 21.17.020.

As documented by Mr. Korasani in the Deviation Application, and as confirmed by PSE therein, as a result of the configuration of the existing overhead utilities, the successful undergrounding of said utilities would actually require the installation of three additional utility poles—a result directly contrary to the intent of RZC 21.17.020. Specifically, per RZC 21.17.020, the purposes of requiring the placement of utilities underground, include (1) "[r]emov[ing] utility poles which



are a hazard along streets,” and (2) “[i]mprov[ing] the appearance and aesthetics of the public ways.”

Clearly, mandating the undergrounding of utilities, which would require the addition of three utilities poles for this project, is directly contradictory to each of the above goals. Rather than removing safety hazards, such a project would actually decrease public safety and create new hazards. Moreover, the addition of three new unsightly utility poles would not improve the appearance and aesthetics of the public ways, but would only serve to exacerbate any real or perceived public concern regarding aesthetics. In short, the granting of the Deviation Application is in the public interest.

Additionally, allowing existing overhead utilities to remain is consistent with the intent of the zone in which the Subject Property is located, specifically the RIN Zone. As indicated above, the very purpose of the RIN Zone is to promote the construction of comparably smaller, more affordable, residential units than other sectors of the City. Such housing stock is desperately a needed commodity in light of the torrid pace of housing costs in Redmond. As documented by Mr. Korasani, undergrounding utilities for this project, in light of the configuration of existing overhead utilities, will cost in excess of \$100,000, or approximately 20% of the entire cost of the proposed duplex. This exorbitant cost is not objectively reasonable, especially in light of the demonstrable lack of corresponding benefit. Worse, a substantial portion of these costs are the direct result of the City’s decision in 2016 to approve a utility design for the development of the adjoining property to the south, which resulted in the installation of a new utility pole in the street frontage on the Appellants’ property—a utility pole that the Appellants are now being required to remove at their own expense. Here, requiring the undergrounding of utilities, which would be cost prohibitive (with little or no public benefit), and result in inequitable cost-shifting from one property owner to another, is not in the public interest.

**b. The deviation meets requirements for safety, public health, function, fire protection, transit needs, appearance, maintainability, and any other criteria deemed relevant by the City.**

The deviation also meets the requirements for safety, public health, function, fire protection, transit needs, appearance, maintainability, and any other criteria deemed relevant by the City.<sup>2</sup>

First, as indicated above, as a result of the configuration of the existing overhead utilities, the successful undergrounding of utilities at this site would actually require the installation of three additional utility poles—a result that actually poses a greater risk to public safety. As indicated, one of the express purposes of requiring the undergrounding of utilities is to “[r]emove utility poles which are a hazard along streets.” *See* RZC 21.17.020. By definition, the addition of utility poles, which would be required to successfully underground utilities at this site, would

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<sup>2</sup> To the extent that this criterion is construed to allow the City to arbitrarily add any other approval criteria it deems relevant, it would clearly violate the Appellants’ state and federal constitutional rights of due process and rudimentary notions of fundamental fairness.

exacerbate concerns regarding safety and public health. In short, granting the deviation request would undoubtedly meet requirements for safety and public health.

Second, allowing the existing overhead utilities to remain will not compromise their intended function, which is to supply electricity and communications to the proposed duplex.

Third, it does not appear that the deviation request has any known or significant impact to fire protection or transit needs.

Next, granting the deviation request would meet requirements for appearance. Again, the addition of three utility poles would be contrary to the express purposes of requiring the undergrounding of utilities, specifically to “[i]mprove the appearance and aesthetics of the public ways.” *See* RZC 21.17.020. Accordingly, granting the deviation request is preferable for purposes of appearance.

Finally, the granting of the variance will presumably facilitate better maintenance of the utilities. In particular, in those rare events when maintaining or repairing utilities is necessary, overhead utilities are much more convenient, accessible, and less expensive to maintain than comparable utilities located underground.

In summary, the Deviation Application meets the requirements for safety, public health, function, fire protection, transit needs, appearance, and maintainability.

**c. The deviation provides substantially equivalent (or improved) environmental protection as would be provided if the standard requirements were met.**

The granting of the Deviation Application will also provide substantially equivalent, and presumably greater, environmental protection. Again, as a result of the configuration of the existing overhead utilities, the successful undergrounding of said utilities would actually require the installation of three additional utility poles—poles that have associated environmental impacts.<sup>3</sup>

As the City is aware, utility poles are treated with preservatives to protect them from insects, fungi, and fires. The most common type of utility pole preservatives are chromate copper arsenate (CCA) and creosote, both of which pollute our waters. It’s estimated that of the 135 million poles in service today in the United States, 80% are treated with CCA and 17% with creosote.

CCA consists of the oxides or salts of copper, chromium, and arsenic. The arsenic and copper are poisonous to insects and fungi that prey on wood. It is produced using aluminum chloride or

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<sup>3</sup> *See, e.g.,* Anders Wood, *et al.*, The Environmental Impact of Utility Poles, <https://engineering.dartmouth.edu/~d30345d/courses/engs171/UtilityPoles.pdf>

ferric chloride as catalysts for the chlorination of phenols. Arsenic is a heavy metal that can contaminate air and water with very low concentrations.

Creosote is produced by the high temperature carbonization of coal and consists principally of aromatic hydrocarbons plus some tar acids and bases. Just as efforts to remove creosote pilings are essential to restoring the Puget Sound and associated waterways, creosote from upland sources, such as utility poles, can also leach and eventually enter our stormwater systems and pollute our waterways. The EPA has labeled creosote a potential carcinogen and sharply limited its use.

There can be little doubt that granting the deviation, which will avoid the installation of three new utility poles, will better protect the environment by saving the timber for the poles themselves and avoiding the unnecessary use of CCA or creosote which can pollute our waters. Allowing the utilities to remain overhead will also lessen the amount of grading within the right of way, and the associated risks of stormwater runoff during construction, among other obvious environmental benefits.

**d. The deviation needs to reflect sound engineering practices.**

The granting of a deviation reflects sound engineering practices. Although this criterion is inherently subjective, as documented by Mr. Korasani, the proposal to maintain existing overhead utilities is based upon solid reasoning and logic, thorough knowledge and experience, and technically correct premises. The fact that this deviation reflects sound engineering practices is best evidenced by the fact that PSE approved the configuration of, and installed, the existing utilities.

Any requirement to add additional power poles in an unprotected and undeveloped sidewalk area across 134<sup>th</sup> Ave NE, which would be necessary to underground the existing overhead utilities, would not meet the intent of the sound engineering practices. Moreover, the final outcome of a sound engineering design should include an analysis of public safety, which strongly militates in favor of avoiding the addition of more utility poles in the vicinity.

**e. The deviation needs to avoid damage to other properties in the vicinity of and downstream of the proposal.**

Granting the deviation will also avoid damage to other properties in the vicinity of the Subject Property. First, as indicated above, avoiding the installation of three new utility poles will avoid adverse impacts to neighborhood aesthetics, character, and property values.

Maintaining existing overhead utilities will limit construction within the right of way and presumably reduce any inconvenience to owners of properties in the vicinity and impairment of the public streets and rights of way during construction.

In summary, by allowing the Appellants to maintain the status quo with respect to the overhead utilities, the granting of the deviation will necessarily avoid damage to existing properties in the vicinity.

- f. Any deviation from the standards that does not meet the Fire Code will require concurrence by the City Fire Marshal.**

It does not appear that the deviation request has any known or significant impact to fire protection or would otherwise fail to meet Fire Code.

- g. As applicable for Overlake and Downtown RZC 21.76.070C Administrative Design Flexibility.**

It does not appear that regulations in the Overlake or Downtown Zones would apply to the Deviation Application.

**3. Relief Requested. See RZC 21.76.060(I)(2)(b)(iii)**

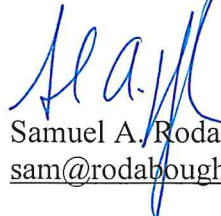
The Appellants respectfully request that the Hearing Examiner grant the appeal, and/or grant the appeal with modifications. See RZC 21.76.060(I)(4)(stating the scope of Hearing Examiner's authority to grant relief in an appeal). Specifically, the Appellants request that the Examiner conclude that the project is exempt from any requirement to underground utilities under RZC 21.17, or, if not exempt, grant a deviation allowing the utilities to remain overhead.

**4. Any Other Information Reasonably Necessary to Make a Decision on the Appeal. See RZC 21.76.060(I)(2)(b)(iv)**

Appellants have no additional information at this time, but reserve the right to supplement their appeal as warranted by the circumstance.

Sincerely,

LAW OFFICE OF SAMUEL A. RODABOUGH PLLC



Samuel A. Rodabough  
[sam@rodaboughlaw.com](mailto:sam@rodaboughlaw.com)

# Exhibit A



May 18<sup>th</sup>, 2017

Hamid Korasani  
Sazei Design Group, LLC  
6608 110<sup>th</sup> Ave Ne  
Kirkland, WA 98033

**Via Email:** [hamidkorasani@yahoo.com](mailto:hamidkorasani@yahoo.com)

**Subject:** **Response to undergrounding overhead utilities Deviation Request (DEVREQ-2017-00464) for the for the Tom Short Duplex on Parcel No. 1246700231**

Dear Mr. Korasani:

The City of Redmond received your letter dated May 4, 2017 requesting a deviation on undergrounding overhead utilities as required for your duplex project. The City of Redmond Technical Committee considered the deviation request and has decided to deny your request.

Per Redmond Zoning Code 21.17.020, undergrounding overhead utilities is required except for single-family house or minor residential development. The project is not a single-family house, nor a minor residential development, which is defined as remodeling or addition development. In addition, almost all the overhead utilities on 134<sup>th</sup> Ave NE have or scheduled to be underground except for your lot and the one to the North. Based on the above city code requirement and justification, the Technical Committee is requiring you to underground the overhead utilities along NE 100<sup>th</sup> Street and along 134<sup>th</sup> Avenue NE. Please work with Puget Sound Energy to have this work done. The PSE plans will need to be submitted to the City as a part of your frontage improvements plans for civil review.

In reviewing your request, the Technical Committee considered the requirements of Redmond Zoning Code 21.17.030. The development contributes to the need for the required improvements. The proposed project triggers undergrounding of overhead utilities per 21.17.020 and does not meet the exemption as it is not a single family home or minor residential development. The project will have vehicular access along both frontages of the lot. The project is only being required to provide undergrounding for the frontages of the lot, in rough proportion to the overall undergrounding of utilities in the neighborhood. Other measures listed in 21.17.030 will leave a gap in the neighborhood undergrounding that is





taking place (described in the previous paragraph) and shift the burden of undergrounding to the City or PSE, which is not in the public interest.

The Technical Committee's decision may be appealed to the Hearing Examiner by filing an appeal with the Planning and Community Development Department within fourteen (14) calendar days of the date of the reconsideration decision. Appeal forms are available on-line at [www.redmond.gov](http://www.redmond.gov). A completed appeal form must be submitted by 5:00 p.m. on the last day of the appeal period.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Lisa Rigg, P.E.  
Development Engineering Manager

Cc: Rob Crittenden, P.E., Traffic Operations Manager, Public Works  
Don Cairns, P.E., Transportation Planning Manager  
Min Luo, P.E., PTOE, PTP, Senior Transportation Engineer  
Andy Chow, P.E., Senior Transportation Engineer  
Colin Sherrill, Associate Engineer  
Brittany Wise, Administrative Specialist

# Exhibit B



SAMUEL A. RODABOUGH  
ATTORNEY AT LAW  
11820 NORTHUP WAY, STE. E200  
BELLEVUE, WA 98005  
(425) 440-2593  
(425) 635-7799 (FAX)

May 5, 2017

*Via Hand Delivery & E-Mail*

Steven Fischer, Planning Manager  
Planning and Community Development  
City of Redmond  
15670 NE 85th St.  
Redmond, WA 98073  
sfischer@redmond.gov

Cameron Zapata, Planner  
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Paulette Norman, Engineering Manager  
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Lisa Rigg, Engineering Manager  
Planning and Community Development  
City of Redmond  
15670 NE 85th St.  
Redmond, WA 98073  
lrigg@redmond.gov

**Re: Deviation Request, DEVREQ 2017-00148**  
***Tom Short Duplex***

To whom it may concern,

This Firm represents Thomas Short, Jr. & Andrea Short, husband and wife (collectively "Short"), the owners of residential real property located at 13404 NE 100<sup>th</sup> St., Redmond, WA 98033, also known as King County Tax Parcel No. 1246700231 ("Subject Property"). This letter supplements a revised application on behalf of my clients for a deviation request submitted by Hamid Korasani, P.E. of SAZEI Design Group, LLC, dated May 5, 2017. The deviation request seeks relief from the requirement to underground certain utilities for the above project. The primary purpose of this letter is to address the deviation criteria set forth in the permit bulletin on the City's website.<sup>1</sup>

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<sup>1</sup> See City of Redmond, Procedures for Requesting and Approving Engineering Deviation Requests, located at <http://www.redmond.gov/common/pages/UserFile.aspx?fileId=206032> (revised December 14, 2016). The undersigned was instructed to address these uncodified criteria in phone conversations with City employees Paulette Norman, P.E., Engineering Manager and Steven Fischer, Planning Manager, on March 23 and April 17, 2017, respectively. My clients reserve the right to assert any defense to the legality of these uncodified criteria or their applicability to my clients' project or deviation request.

**A. My Clients' Project is Exempt from the Requirement to Underground Utilities.**

As an initial matter, my clients' project should not require a deviation, as it is exempt from the requirement to underground utilities under RZC 21.17.020. The City's attempt to impose such a requirement here contravenes applicable City Code.

Specifically, the subject property is located within the Residential Innovative Zone ("RIN Zone"). The express purpose of the RIN Zone is to "promot[e] diversity in the size, **type**, and **price** of new single-family homes." RZC 21.08.070 (emphasis added). Critically, for purposes of the RIN Zone, duplexes are expressly considered single-family homes. *See* RZC 21.08.360(A)(2) (defining "single-family housing" in the RIN Zone to include "smaller dwelling units such as a cottage, size-limited dwelling or **duplex**")(emphasis added). *Cf.* RZC 21.08.070B (allowing duplexes as a permitted use in the RIN Zone). Categorizing duplexes as single-family homes in the RIN Zone is presumably for the purpose of ensuring the desired and aforementioned diversity of the **type** and **price** of housing stock available in the RIN Zone.

As indicated, the undergrounding of utilities is governed by RZC 21.17.020. The City has a past pattern or practice of interpretation and application of RZC 21.17.020 that has excluded the construction of single-family residences or minor residential development from its requirements. Indeed, the City's prior denial<sup>2</sup> of my clients' deviation request, dated March 3, 2017, reflects the City's longstanding interpretation of RZC 21.17.020: "Per Redmond Zoning Code 21.17.020, undergrounding overhead utilities is required except for single-family house or minor residential development." However, as indicated above, for purposes of the zone in which the Subject Property is situated, duplexes are expressly defined as single-family residences. *See* RZC 21.08.360(A)(2) (defining "single-family housing" in the RIN Zone to include "smaller dwelling units such as a cottage, size-limited dwelling or **duplex**")(emphasis added). As such, my clients' project should be exempt from any requirement to underground overhead utilities.

Alternatively, if the City concludes that the project is not exempt from the requirement to underground overhead utilities in RZC 21.17.020, my clients respectfully request that the City grant a deviation from any such requirement. The criteria for granting a deviation request are as follows:<sup>3</sup>

- The deviation produces a comparable or improved result, which is in the public interest.
- The deviation meets requirements for safety, public health, function, fire protection, transit needs, appearance, maintainability, and any other criteria deemed relevant by the City.

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<sup>2</sup> In a letter, dated April 15, 2017, the City "rescinded" its prior denial of the deviation request.

<sup>3</sup> *See* footnote 1 above.

- The deviation provides substantially equivalent (or improved) environmental protection as would be provided if the standard requirements were met.
- The deviation needs to reflect sound engineering practices.
- The deviation needs to avoid damage to other properties in the vicinity of and downstream of the proposal.
- Any deviation from the standards that does not meet the Fire Code will require concurrence by the City Fire Marshal.
- As applicable for Overlake and Downtown RZC 21.76.070C Administrative Design Flexibility.

As explained in greater detail herein, my clients' deviation request meets each of these criteria.

**B. If the Project is Not Exempt from the Requirement to Underground Overhead Utilities, a Deviation Should Be Granted Allowing Existing Overhead Utilities to Remain.**

As indicated, this project should be exempt from any requirement to underground overhead utilities. However, in the event that the City concludes that the project is not exempt, a deviation should be granted that allows existing utilities to remain in their current location.

**1. The deviation produces a comparable or improved result, which is in the public interest.**

Granting my clients' deviation request will not produce a mere "comparable" result to the undergrounding of overhead utilities, but will actually produce an improved result that is more consistent with the intent of RZC 21.17.020.

As documented by Mr. Korasani in the revised deviation request, and as confirmed by Puget Sound Energy therein, as a result of the configuration of the existing overhead utilities, the successful undergrounding of said utilities would actually require the installation of three additional utility poles—a result directly contrary to the intent of RZC 21.17.020. Specifically, per RZC 21.17.020, the purposes of requiring the placement of utilities underground, include (1) "[r]emov[ing] utility poles which are a hazard along streets," and (2) "[i]mprov[ing] the appearance and aesthetics of the public ways."

Clearly, mandating the undergrounding of utilities, which would require the addition of three utilities poles for this project, is directly contradictory to each of the above goals. Rather than removing safety hazards, such a project would actually decrease public safety and create new hazards. Moreover, the addition of three new unsightly utility poles would not improve the appearance and aesthetics of the public ways, but would only serve to exacerbate any real or perceived public concern regarding aesthetics. In short, the granting of my clients' deviation request is in the public interest.

Additionally, allowing existing overhead utilities to remain is consistent with the intent of the zone in which the Subject Property is located, specifically the RIN Zone. As indicated above, the very purpose of the RIN Zone is to promote the construction of comparably smaller, more affordable, residential units than other sectors of the City. Such housing stock is desperately a needed commodity in light of the torrid pace of housing costs in Redmond. As documented by my clients' engineer, Mr. Korasani, undergrounding utilities for this project, in light of the configuration of existing overhead utilities, will cost in excess of \$100,000, or approximately 20% of the entire cost of the proposed duplex. This absorbent cost is not objectively reasonable, especially in light of the demonstrable lack of corresponding benefit. Worse, a substantial portion of these costs are the direct result of the City's decision in 2016 to approve a utility design for the development of the adjoining property to the south, which resulted in the installation of a new utility pole in the street frontage on my clients' property—a utility pole that my clients are now being required to remove at their own expense. Here, requiring the undergrounding of utilities, which would be cost prohibitive (with little or no public benefit), and result in inequitable cost-shifting from one property owner to another, is not in the public interest.

**2. The deviation meets requirements for safety, public health, function, fire protection, transit needs, appearance, maintainability, and any other criteria deemed relevant by the City.**

The deviation also meets the requirements for safety, public health, function, fire protection, transit needs, appearance, maintainability, and any other criteria deemed relevant by the City.<sup>4</sup>

First, as indicated above, as a result of the configuration of the existing overhead utilities, the successful undergrounding of utilities at this site would actually require the installation of three additional utility poles—a result that actually poses a greater risk to public safety. As indicated, one of the express purposes of requiring the undergrounding of utilities is to “[r]emove utility poles which are a hazard along streets.” See RZC 21.17.020. By definition, the addition of utility poles, which would be required to successfully underground utilities at this site, would exacerbate concerns regarding safety and public health. In short, granting the deviation request would undoubtedly meet requirements for safety and public health.

Second, allowing the existing overhead utilities to remain will not compromise their intended function, which is to supply electricity and communications to the proposed duplex.

Third, it does not appear that the deviation request has any known or significant impact to fire protection or transit needs. However, in the event that the City concludes otherwise, my clients

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<sup>4</sup> To the extent that this criterion is construed to allow the City to arbitrarily add any other approval criteria it deems relevant, it would clearly violate my clients' state and federal constitutional rights of due process and rudimentary notions of fundamental fairness.



respectfully request the opportunity to address those issues and respond to the City's feedback prior to the rendering of any deviation on their deviation request.

Next, granting the deviation request would meet requirements for appearance. Again, the addition of three utility poles would be contrary to the express purposes of requiring the undergrounding of utilities, specifically to "[i]mprove the appearance and aesthetics of the public ways." See RZC 21.17.020. Accordingly, granting the deviation request is preferable for purposes of appearance.

Finally, the granting of the variance will presumably facilitate better maintenance of the utilities. In particular, in those rare events when maintaining or repairing utilities is necessary, overhead utilities are much more convenient, accessible, and less expensive to maintain than comparable utilities located underground.

In summary, my clients' deviation request also meets the requirements for safety, public health, function, fire protection, transit needs, appearance, and maintainability.

**3. The deviation provides substantially equivalent (or improved) environmental protection as would be provided if the standard requirements were met.**

The granting of my clients' deviation request will also provide substantially equivalent, and presumably greater, environmental protection. Again, as a result of the configuration of the existing overhead utilities, the successful undergrounding of said utilities would actually require the installation of three additional utility poles—poles that have associated environmental impacts.<sup>5</sup>

As the City is aware, utility poles are treated with preservatives to protect them from insects, fungi, and fires. The most common type of utility pole preservatives are chromate copper arsenate (CCA) and creosote, both of which pollute our waters. It's estimated that of the 135 million poles in service today in the United States, 80% are treated with CCA and 17% with creosote.

CCA consists of the oxides or salts of copper, chromium, and arsenic. The arsenic and copper are poisonous to insects and fungi that prey on wood. It is produced using aluminum chloride or ferric chloride as catalysts for the chlorination of phenols. Arsenic is a heavy metal that can contaminate air and water with very low concentrations.

Creosote is produced by the high temperature carbonization of coal and consists principally of aromatic hydrocarbons plus some tar acids and bases. Just as efforts to remove creosote pilings are essential to restoring the Puget Sound and associated waterways, creosote from upland

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<sup>5</sup> See, e.g., Anders Wood, *et al.*, The Environmental Impact of Utility Poles, <https://engineering.dartmouth.edu/~d30345d/courses/engs171/UtilityPoles.pdf>

sources, such as utility poles, can also leach and eventually enter our stormwater systems and pollute our waterways. The EPA has labeled creosote a potential carcinogen and sharply limited its use.

There can be little doubt that granting the deviation, which will avoid the installation of three new utility poles, will better protect the environment by saving the timber for the poles themselves and avoiding the unnecessary use of CCA or creosote which can pollute our waters. Allowing the utilities to remain overhead will also lessen the amount of grading within the right of way, and the associated risks of stormwater runoff during construction, among other obvious environmental benefits.

**4. The deviation needs to reflect sound engineering practices.**

The granting of a deviation reflects sound engineering practices. Although this criterion is inherently subjective, as documented by my clients' engineer, Mr. Korasani, the proposal to maintain existing overhead utilities is based upon solid reasoning and logic, thorough knowledge and experience, and technically correct premises. The fact that this deviation reflects sound engineering practices is best evidenced by the fact that Puget Sound Energy approved the configuration of, and installed, the existing utilities.

Any requirement to add additional power poles in an unprotected and undeveloped sidewalk area across 134<sup>th</sup> Ave NE, which would be necessary to underground the existing overhead utilities, would not meet the intent of the sound engineering practices. Moreover, the final outcome of a sound engineering design should include an analysis of public safety, which strongly militates in favor of avoiding the addition of more utility poles in the vicinity.

**5. The deviation needs to avoid damage to other properties in the vicinity of and downstream of the proposal.**

Granting the deviation will also avoid damage to other properties in the vicinity of the Subject Property. First, as indicated above, avoiding the installation of three new utility poles will avoid adverse impacts to neighborhood aesthetics, character, and property values.

Second, avoiding the requirement to underground existing utilities will limit construction within the right of way and presumably reduce any inconvenience to owners of properties in the vicinity and impairment of the public streets and rights of way during construction.

In summary, by allowing my clients to maintain the status quo with respect to the overhead utilities, the granting of the deviation will necessarily avoid damage to existing properties in the vicinity.

**6. Any deviation from the standards that does not meet the Fire Code will require concurrence by the City Fire Marshal.**

It does not appear that the deviation request has any known or significant impact to fire protection or would otherwise fail to meet Fire Code. However, in the event that the City concludes otherwise, my clients respectfully request the opportunity to address those issues and respond to the City's feedback prior to the rendering of any deviation on their deviation request.

**7. As applicable for Overlake and Downtown RZC 21.76.070C  
Administrative Design Flexibility.**

It does not appear that regulations in the Overlake or Downtown Zones would apply to my clients' deviation request. However, in the event that the City concludes otherwise, my clients respectfully request the opportunity to address those issues and respond to the City's feedback prior to the rendering of any deviation on their deviation request.

My clients and their engineer have worked tirelessly with the City to ensure a successful project that meets applicable standards. However, the requirement to underground existing overhead utilities for this project defies common sense and is cost prohibitive. My clients' deviation request is consistent with the applicable deviation criteria and should be granted. Please let me know if you require any further.

Sincerely,

LAW OFFICE OF SAMUEL A. RODABOUGH PLLC



Samuel A. Rodabough  
[sam@rodaboughlaw.com](mailto:sam@rodaboughlaw.com)

# Exhibit C

**SAZEI Design Group, LLC**

6608 110<sup>th</sup> Ave. N. E.  
Kirkland, WA. 98033

Tel: (425) 214-2280

**May 4, 2017**

**Ms. Lisa Rigg, P.E.**  
**Development Engineering & Construction Manager**  
**City of Redmond MS: 2SPL**  
**15670 NE 85<sup>th</sup> Street**  
**PO Box 97010**  
**Redmond, WA. 98073-9710**

**Project:** **Building Permit Folder # BPLN-2015-02128**  
**Owner: Tom and Andrea Short**  
**Project Address: 13404 NE 100<sup>th</sup> Street Redmond, WA. 98033**  
**Parcel # 1246700231—Zoning: RIN**  
**Project Scope: Demolition of existing house & Construction of New Home**

**Subject:** **REVISED Deviation Request to obtain approval to Leave "Overhead Power & Communication lines as existing and not to underground them".**

Dear Ms. Rigg,

Subsequent to your letter dated April 17<sup>th</sup>, 2017 (Copy Attached) in regards to rescinding the previous decision by the City Technical Committee via formal decision letter dated March 03, 2017, We are hereby submitting our revised/amended "Deviation Request" to seek administrative approval to exempt the above referenced project as a "Minor, affordable Residential Development" from requirements of undergrounding "Overhead Power & Communication Lines along public right-of-way as a part of the frontage improvements.

**PROJECT SUMMARY**

**File Number:** Building Permit Folder: BPLN-2015-02128

**Location of** 13404 NE 100<sup>th</sup> Street, Redmond, Washington 98033

**Property:** Identified by King County Assessor tax parcel number 1246700231

**Zoning District:** RIN—Willows/Rose Hill Neighborhood

As we discussed during several meeting(s) and follow up correspondences with Paulette Norman, former engineering manager, Steve Fischer, planning manager, Colin Sherril, civil engineer, and Andy Chow, Civil engineer, the "owner of this property" strongly feels that such high cost burdens of undergrounding the overhead lines along (2) street frontage is excessive and considered unfair for a single home owner to absorb such "WIDE SPREAD

COST” when developing his site to build a family home; furthermore, installation of three additional poles would be required due to existing configuration of the overhead utilities which creates more obstacles undermining the original goals on undergrounding such lines. Project proposes construction of a Family duplex that is located on an existing single-family corner lot and is not to be subdivided.

### **I. Description of Deviation**

The request for this deviation is to exempt the requirements for undergrounding utility lines along the TWO public right-of-ways of this project due to increasing complexities by having to install (3) additional power poles, deterring from aesthetic goals, minimizing public safety, and the high cost burdens for the proposed minor residential development.

Property owner has been advised that as a part of the frontage improvement package, the overhead distribution lines along 134<sup>th</sup> Ave NE and NE 100<sup>th</sup> Street need to be undergrounded for constructing their NEW home on existing residential lot. This deviation and the related supporting documents are in reference to City of Redmond Comprehensive Plan (UT-14; UT-15) and Redmond Zoning Code (RZC 21.54). Redmond Zoning Code section (RZC 21.54.020(B)(1) clearly indicates exemption for minor residential facilities and single family residence. Furthermore, as stated under current RZC 21.17.020 developments within the Residential Innovative Zone (“RIN Zone”) are promoted to create diversity in Size, type, and price for new single family homes. RZC 21.08.360 (A)(2) clearly defines “Single Family Housing” in the RIN Zone to include smaller dwelling units such as cottage, size-limited dwelling or **duplexs**, as a result, categorizing duplexs as single family homes in RIN zones ensures the desired planning goals and diversity of the size, type, and price range of housing products in this zone.

Frontage improvements along 134<sup>th</sup> Ave NE in front of this subject property have been partially constructed by the previous development to the North. Along the South property line, there is currently no ditch or side walk on NE 100<sup>th</sup> street; however the owner is committed to provide street frontage improvement including: sidewalk, drainage ditch, landscaping, etc. Plans for street frontage improvements (copies attached as a reference) per standards of City of Redmond have been submitted for permit and is pending resolution of this deviation so it can be reviewed and processed.

### **II. The code citation of the Standards from which the application proposes to deviate**

Redmond Zoning Code requires street improvements for all new construction including single-family residence. Street improvements depend on existing conditions. Generally, improvements consist of constructing ½ street improvements that may include curb, gutter, ditch, planter strip, sidewalks, storm drainage, streetlights, and undergrounding overhead utilities.

City of Redmond Zoning Code RZC 21.17.020 clearly excludes the construction of single family residences or minor residential developments from the requirements of undergrounding the overhead utilities; and since this project is categorized and considered minor residential development as defined under RIN zoning code, should therefore be exempt from undergrounding requirements to bury utility distribution lines along public right-of-way. This type of development will still be required to underground service lines within the site to the connection point at the utility pole. The main reason for approving this exemption that was initiated by Planning Commission and the City Council in 2011, is in response to



observations that minor residential development, can be burdened with disproportionately high costs relating to utility undergrounding. Typical costs for undergrounding utility distribution lines, as part of a new construction of this type of minor residential development, may range from \$30,000 to \$65,000 which can be a large portion of the overall project cost of undergrounding the entire corridor. Undergrounding the overhead lines in front of this property will cost in excess of \$100,000, or approximately 20% of the entire cost of the building that exceeds the range of costs indicated above due to complexity of existing conditions and having to re-install three additional poles as described below and confirmed by Puget Sound Energy (PSE) engineering department.

### **III. Must demonstrate how the standards can be met**

In order to underground overhead utilities lines, the power pole at the corner of 134<sup>th</sup> Ave NE and NE 100<sup>th</sup> Street needs to be removed as confirmed by PSE. Removal of this pole will require installation of three new poles at the edges of where the underground conversion will go as follows:

A-One at the NW corner of this lot

B- One at the SE corner of this lot

C- One on the other side of 134<sup>th</sup> Ave NE (West shoulder)

Due to the new development on the south side of this property, an additional power pole has since been installed which also needs to also be removed as a result of this overall conversion (Please refer to email from PSE dated January 4<sup>th</sup> and photo exhibit "A"). Prior to September of 2016, there was ONLY ONE power pole located at the Northeast corner of 134<sup>th</sup> Ave NE and NE 100 Street. We discovered that the trees were cut/trimmed and a NEW Power Pole had been installed along the west side of the subject property on 134<sup>th</sup> Ave NE . We contacted PSE and Frontier to find out about this new pole and we were told that the new pole was installed because the plat under construction to the south of this property needed to remove a guy pole on their side of the street; as a result a new pole needed to be installed on our side of the street making the undergrounding for this property even more complex and with added costs. (Please refer to email from PSE dated January 24<sup>th</sup> and photo exhibit "B").

### **IV. Provide alternatives to minimize the deviation**

It is clear that mandating the undergrounding of utilities, which would require the addition of three utilities poles for this project, is directly contradictory to each of the Redmond Zoning Code RZC 21.17.020 goals. Instead of removing safety hazards, such a project would actually decrease public safety and create new hazards. Moreover, the addition of three new unsightly utility poles would not improve the appearance and aesthetics of the public ways, but would only serve to exacerbate any real or magnified public concern regarding aesthetics. Therefore, the granting the deviation request is in the public interest.

City of Redmond comprehensive plan directs the City and Private developers to relocate new and existing utility distribution and service lines underground to promote aesthetics; safety and security; and environmental quality; the ultimate goal of this program can not be achieved since removal of "ONE" pole would require installation of "THREE" additional poles contrary to the global intend of this program.

This deviation will have an impact on other properties in the vicinity of the Subject Property as described below. It is apparent that, avoiding the installation of three new utility poles will avoid adverse impacts to neighborhood aesthetics, character, and property values.

Furthermore, avoiding the requirement to underground existing utilities will limit construction within the right of way and presumably reduce any inconvenience to owners of properties in the vicinity and impairment of the public streets and rights of way during construction.

It should also be noted that street improvements along 134<sup>th</sup> Ave NE has been recently done and undergrounding existing aerial lines at this point would require removal of newly constructed frontage.

Granting this deviation and allowing the current conditions to maintain the status quo with respect to the overhead utilities, will avoid damage to existing properties in the vicinity.

**V. Description of proposed alternatives along with supporting documentation**

We are proposing the following alternates/improvements to compensate for the above listed deviation:

- This project proposes to develop the frontage street improvement along both 134<sup>th</sup> Ave Ne and NE 100<sup>th</sup> Street.
- To further enhance the vehicular and pedestrians safety, street lighting (if Required) is being proposed under this development.
- Additional Handicap access and ramp will be provided at the intersection of 134<sup>th</sup> Ave Ne and NE 100<sup>th</sup> Street.
- Pedestrian access will be improved by constructing new sidewalks ob both streets and around the corner of 134<sup>th</sup> Ave NE and NE100th Street
- Project proposes to install new drainage ditch along NE 100<sup>th</sup> Street as a part of the frontage improvements; this will also clean up several drainage catch basins (currently 7 existing catch basins-refer to survey attached) along NE 100<sup>th</sup> Street.
- Owner agrees to provide additional traffic signage to improve the traffic safety (where needed).
- Concrete crosswalks, per the City of Redmond Standard Details, will be installed along both streets as a part of the street improvement permit.
- This site is located within the residential area and is categorized as low traffic volume; there have been “NO” complaints on file related to the existing conditions of utility poles and associated components.
- This project is providing housing types that effectively serve the affordable housing needs of the Community City of Redmond promotes Innovative housing such as “Duplex” in the community where this project is being built.

**VI. Exhibit(s) of the proposed design**

Material(s) submitted with this request include:

- a. Proposed alternates letter
- b. Copy of the City of Redmond code reference
- c. Architectural Site plan
- d. Photo Exhibits “A”, “B”.
- e. Copy of email from PES, Puget Sound Energy engineer
- f. Copy of email by Andy Chow, City of Redmond Public Works Department
- g. Frontage improvement plans along NE 100<sup>th</sup> Street and 134<sup>th</sup> Ave NE

**VII. Documentation may include, but not limited to,, a record of use by other agencies  
Or evidence of meeting criteria for quality**

The deviation meets the quality standards and requirements for quality, safety, public health, function, fire protection, transit needs, appearance, maintainability, and any other criteria deemed relevant by the City.

Based on the configuration of the existing overhead utilities, the successful undergrounding of utilities at this site would actually require the installation of three additional utility poles—a result that actually poses a greater risk to public safety. As indicated *per* RZC 21.17.020, one of the express purposes of requiring the undergrounding of utilities is to **remove utility poles which are a hazard along streets**. By definition indicated *per* RZC 21.17.020, the addition of utility poles, which would be required to successfully underground utilities at this site, would compound additional concerns regarding quality, safety and public health; therefore, granting the deviation request without a doubt meet requirements quality, safety, and public health.

Granting this deviation will satisfy the reasoning exhibited or based on thorough knowledge and experience, which is logically valid and having technically correct premises that demonstrate good judgment or sense in the application of science. Having to add additional power poles in an unprotected and undeveloped sidewalk area across 134<sup>th</sup> Ave NE and NE 100<sup>th</sup> street as it would be required to underground the overhead utilities does not meet the intend of the sound engineering practices. Final outcome of a sound engineering design “MUST” include the life safety and protection of public as the serviceability requirements “Not creating hazardous conditions” which would ultimately result from undergrounding the powerlines at this particular location.

In summary, granting of this deviation and maintaining the overhead powerlines as existing will facilitate better maintenance of the utilities. In particular, in those rare events when maintaining or repairing utilities is necessary, overhead utilities are much more convenient, accessible, and less expensive to maintain than comparable utilities located underground.

**VIII. Applications for location of utilities by an entity allowed under a franchise agreement  
Must be prepared and submitted by that entity**

The application for location of utilities would not apply to this deviation request. However, in the event that the City requires further information, we would respectfully request the opportunity to address those issues and respond to the City’s feedback prior to the rendering of any deviation on their deviation request.

We trust that this letter sufficiently addresses the request for exempting the overhead utilities so the construction of proposed residential facility can commence. If you have any questions regarding the work proposed or require further clarifications, please feel free to contact me at (425) 214-2280, or via e-mail at [hamidkorasani@yahoo.com](mailto:hamidkorasani@yahoo.com) .

Sincerely,

SAZEI Design Group, LLC

*Hamid Korasani*

Hamid G. Korasani, P. E.  
Principal



**Johnson, Mike - Transmission** <Mike.Johnson@pse.com>

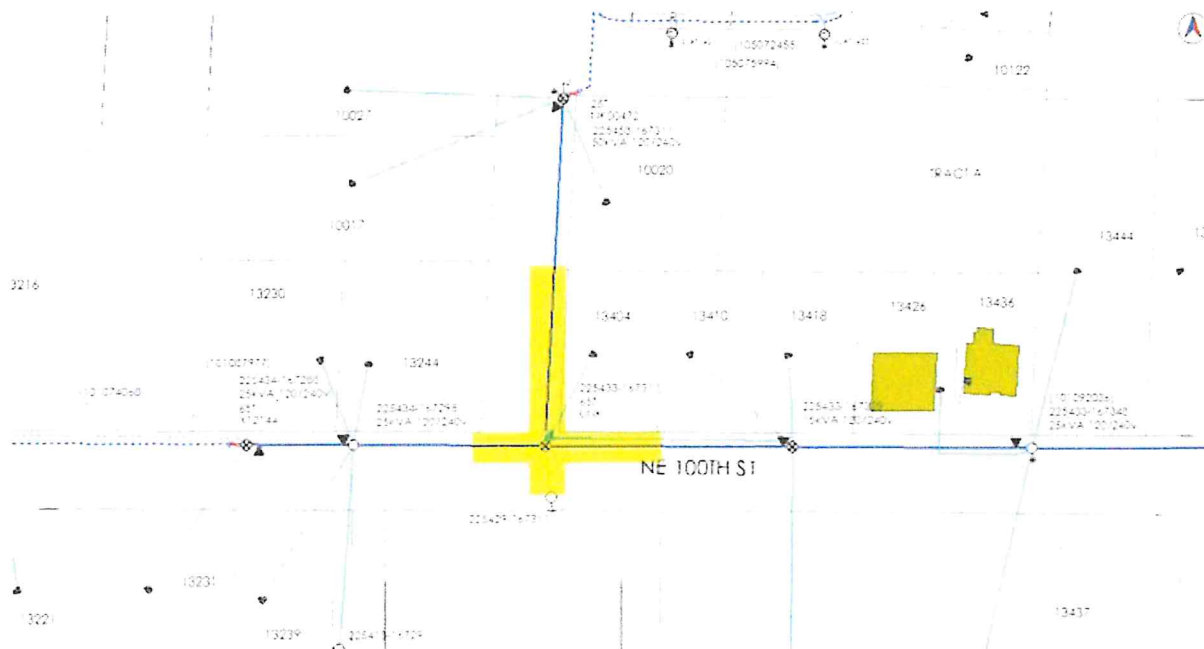
To

hamidkorasani@yahoo.com

Jan 4 at 10:40 AM

Hi Hamid,

Below is a map of the overhead lines you would likely be responsible for converting underground if you redevelop your property at 13404 NE 100<sup>th</sup> St. While I cannot scope the project until an application is submitted and I've visited the site, typically in a project like this we would remove the pole at the corner of 134<sup>th</sup> and NE 100<sup>th</sup> St, and then set three new poles at the edges of where the underground conversion will go (one at the NW corner of your lot, one at the SE corner, and one on the other side of 134<sup>th</sup>).



Please let me know if you have any questions.

Thanks

Mike Johnson  
Engineer  
Customer & System Projects, PSE  
Office: (425)462-3710  
Cell: (206)430-0149  
michael.johnson@pse.com

EXHIBIT "A"



NEK POLE ADDED (NOV. 2016)

PSE - 225445

167 291

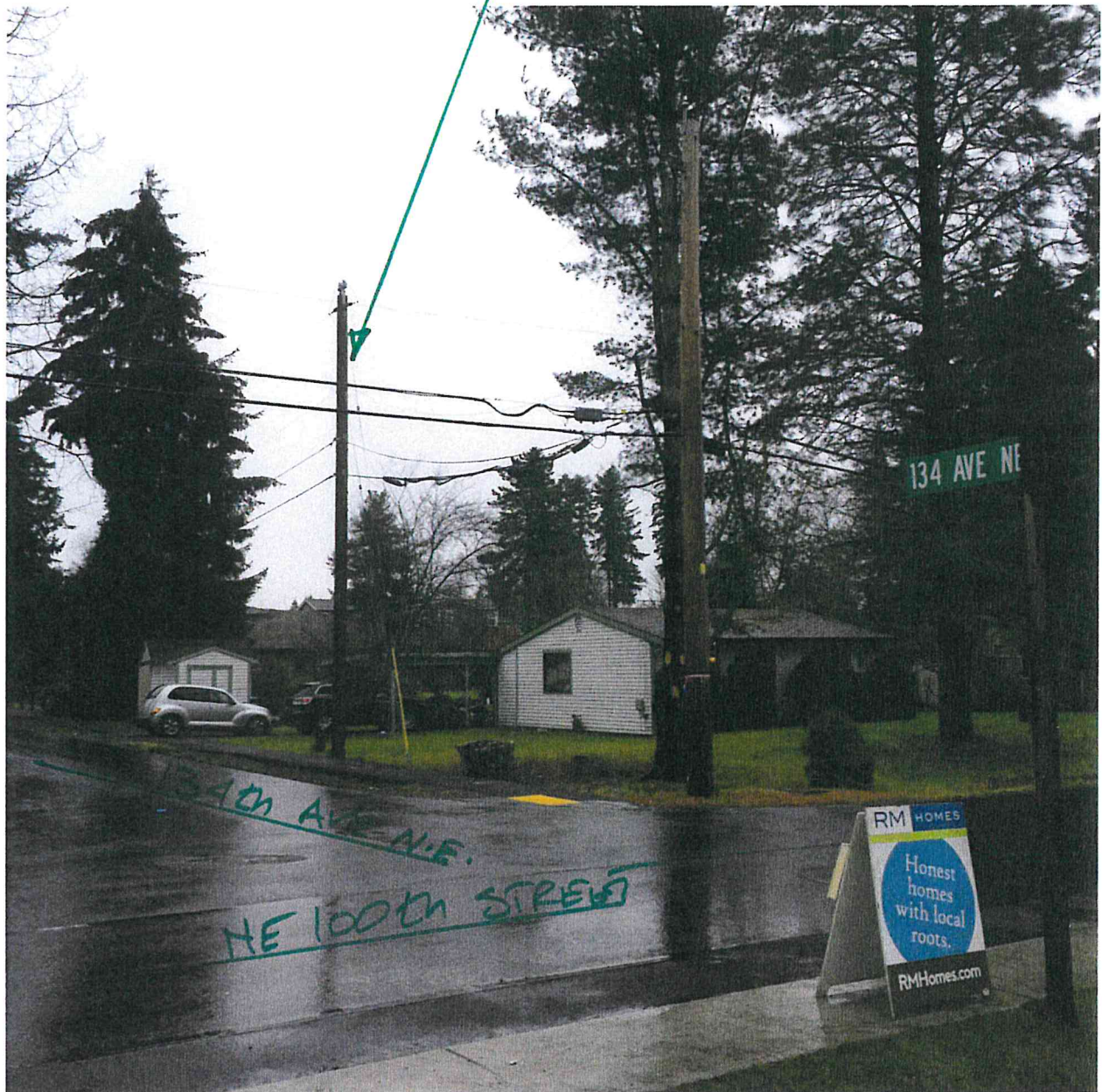


EXHIBIT "A"



TREES. CUTS TRIMMED BY PSE

NEW GUY POLE  
INSTALLED  
NOVEMBER  
2016



EXHIBIT "A"

[Print](#) - [Close Window](#) - Click More at the bottom of the email to print single message

**Subject:** RE: Power OH/UG Conversion on NE 100th St  
**From:** Johnson, Mike - Transmission (Mike.Johnson@pse.com)  
**To:** hamidkorasani@yahoo.com;  
**Cc:** Erik.Guerra@pse.com;  
**Date:** Tuesday, January 24, 2017 2:04 PM

Hi Hamid,

Erik was able to find out some more about the new pole near your property. It was installed because the plat under construction to the south of your property needed to remove a guy pole on their side of the street. Because that pole needed to be removed, a new pole needed to be installed on your side of the street.

Please let me know if you have any questions.

Thanks

Mike Johnson

Engineer


Customer & System Projects, PSE

(425)462-3710

michael.johnson@pse.com

EXHIBIT "B"



 <h2 style="text-align: center;">Tye Surveyors</h2> <h3 style="text-align: center;">PROFESSIONAL LAND SURVEYORS</h3> <p style="text-align: center;">10007 GREENWOOD AV. N. SEATTLE, WA 98133 206-525-3660</p>		
GRANDY ST. RG	DATE: 8-22-16	SUB NO.: 16133
CHRD BY: TG	SCALE: 1" = 10'	SHEET: 1 of 1

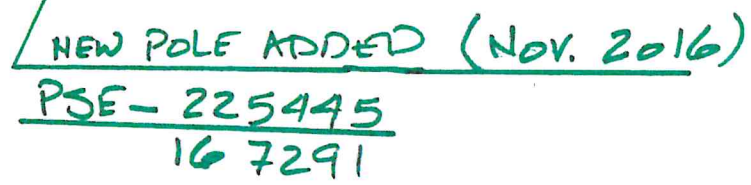


EXHIBIT "B"



VICINITY MAP



ADDRESS  
13404 NE 100TH ST  
REDMOND WASHINGTON 98033  
PARCEL NUMBER  
124910023

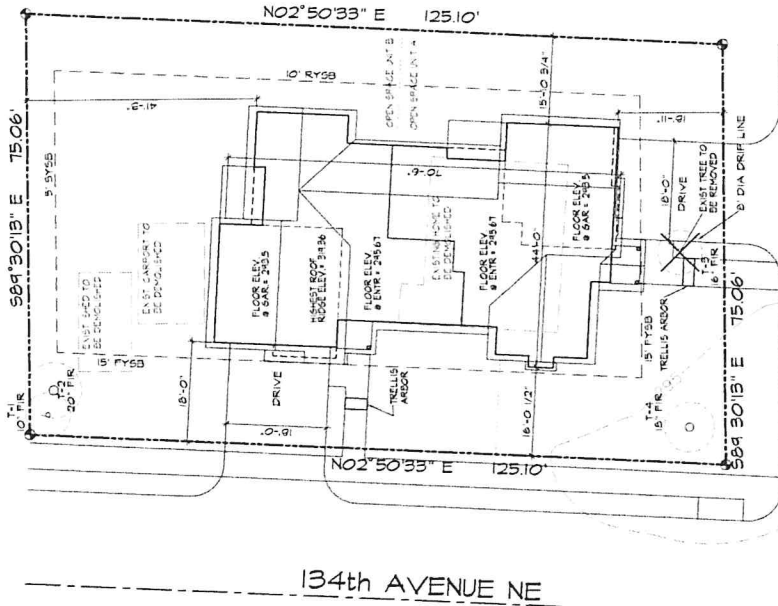
SITE/LEGAL DESCRIPTION  
SUBJECT TO THE DEED OF TRUST, THE  
BUDGET OF THE CITY OF SEATTLE DIVISION NO. 1  
AS PER PLAT RECORDED IN VOL. 25 OF PLATS  
PAGE 20 INCLUSIVE RECORDS OF KING COUNTY

LOT COVERAGE  
STRUCTURES  
LOT AREA 9,488.40 SF  
HOUSE/GARAGE AREA 2,924.00 SF  
TOTAL AREA 2,924.00 SF  
35% ALLOWED

INTERVIOUS AREA  
LOT AREA 9,488.40 SF  
HOUSE/GARAGE AREA 2,924.00 SF  
DRIVEWAY/PARKING AREA 183.00 SF  
TOTAL AREA 9,745.40 SF  
60% ALLOWED

OPEN SPACE  
LOT AREA 9,488.40 SF  
HOUSE/GARAGE AREA 2,924.00 SF  
OPEN SPACE UNIT A 12,205.00 SF  
OPEN SPACE UNIT B 3,948.00 SF

F.A.R.  
BUILDING AREA 1,884.00 SF  
TOTAL FLOOR AREA 1,884.00 SF  
GARAGE 870.00 SF  
TOTAL FLOOR AREA 2,754.00 SF  
PERCENTAGE OF LOT AREA 29.13%  
PERCENTAGE OF LOT AREA 29.13%



SITE PLAN  
SCALE: 1" = 10'-0"

**TOM SHORT Duplex**  
13404 NE 100th Street, Redmond, WA 98033

SIGNIFICANT TREES		TREES WITHIN SITE INTERIOR	
No.	DIAMETER SPECIES	WEIGHT FACTOR	WEIGHTED DIAMETER
T-1	10" Doug Fir	1.0	10"
T-2	20" Doug Fir	1.0	20"
T-3	18" Doug Fir	1.0	18"
T-4	18" Doug Fir	1.0	18"
TOTAL		4.0	66"

Significant Trees: 10" Doug Fir, 20" Doug Fir, 18" Doug Fir, 18" Doug Fir  
Total Weighted Diameter: 66"

HEIGHT CALCULATION

WALL	WALL - MIDPOINT - PROJECT	WALL - LENGTH - ELEVATION - PROJECT
1	11.00	2118.00
2	11.00	2118.00
3	11.00	2118.00
4	11.00	2118.00
5	11.00	2118.00
6	11.00	2118.00
7	11.00	2118.00
8	11.00	2118.00
9	11.00	2118.00
10	11.00	2118.00
11	11.00	2118.00
12	11.00	2118.00
13	11.00	2118.00
14	11.00	2118.00
15	11.00	2118.00
16	11.00	2118.00
17	11.00	2118.00
18	11.00	2118.00
19	11.00	2118.00
20	11.00	2118.00
21	11.00	2118.00
22	11.00	2118.00
23	11.00	2118.00
24	11.00	2118.00
25	11.00	2118.00
26	11.00	2118.00
27	11.00	2118.00
28	11.00	2118.00
29	11.00	2118.00
30	11.00	2118.00
31	11.00	2118.00
32	11.00	2118.00
33	11.00	2118.00
34	11.00	2118.00
35	11.00	2118.00
36	11.00	2118.00
37	11.00	2118.00
38	11.00	2118.00
39	11.00	2118.00
40	11.00	2118.00
41	11.00	2118.00
42	11.00	2118.00
43	11.00	2118.00
44	11.00	2118.00
45	11.00	2118.00
46	11.00	2118.00
47	11.00	2118.00
48	11.00	2118.00
49	11.00	2118.00
50	11.00	2118.00
51	11.00	2118.00
52	11.00	2118.00
53	11.00	2118.00
54	11.00	2118.00
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66	11.00	2118.00
67	11.00	2118.00
68	11.00	2118.00
69	11.00	2118.00
70	11.00	2118.00
71	11.00	2118.00
72	11.00	2118.00
73	11.00	2118.00
74	11.00	2118.00
75	11.00	2118.00
76	11.00	2118.00
77	11.00	2118.00
78	11.00	2118.00
79	11.00	2118.00
80	11.00	2118.00
81	11.00	2118.00
82	11.00	2118.00
83	11.00	2118.00
84	11.00	2118.00
85	11.00	2118.00
86	11.00	2118.00
87	11.00	2118.00
88	11.00	2118.00
89	11.00	2118.00
90	11.00	2118.00
91	11.00	2118.00
92	11.00	2118.00
93	11.00	2118.00
94	11.00	2118.00
95	11.00	2118.00
96	11.00	2118.00
97	11.00	2118.00
98	11.00	2118.00
99	11.00	2118.00
100	11.00	2118.00

MAX. HEIGHT: 21.18' - 21.18' AVE. BLOS. ELEV.  
MAX. ALLOWED HEIGHT: 21.18' - 21.18' AVE. BLOS. ELEV.  
PROPOSED HEIGHT: 21.18' - 21.18' AVE. BLOS. ELEV.

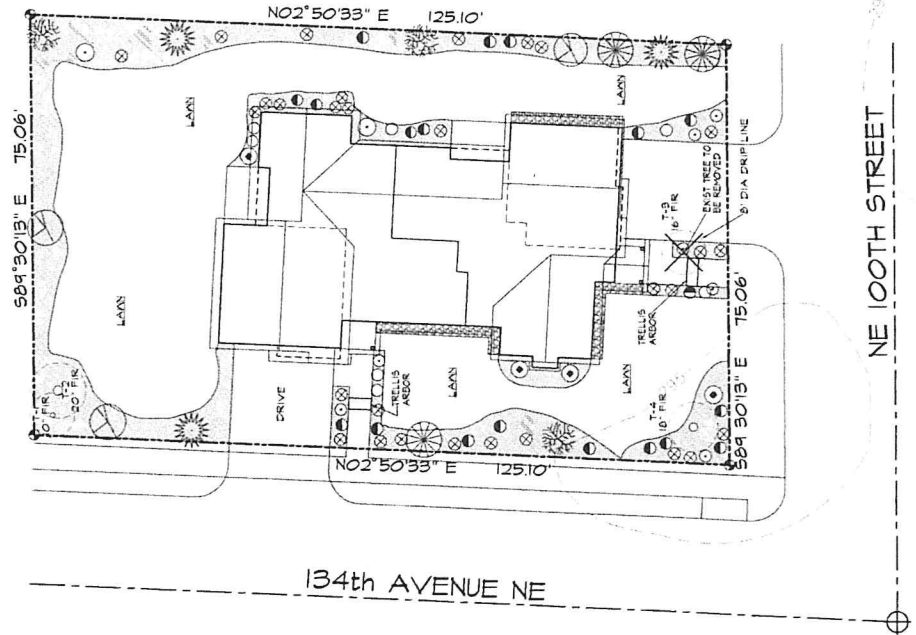


SAZBI DESIGN GROUP LLC  
6608 110TH AVE NE  
KIRKLAND WA 98033  
T: (425) 214-2280  
F: (425) 888-8887

SHORT DUPLEX  
13404 NE 100TH STREET, KIRKLAND, WA 98033

DRAINAGE CONTROL PLAN

Project	LI
Sheet	1
Scale	1"=20'
Date	11/15/18



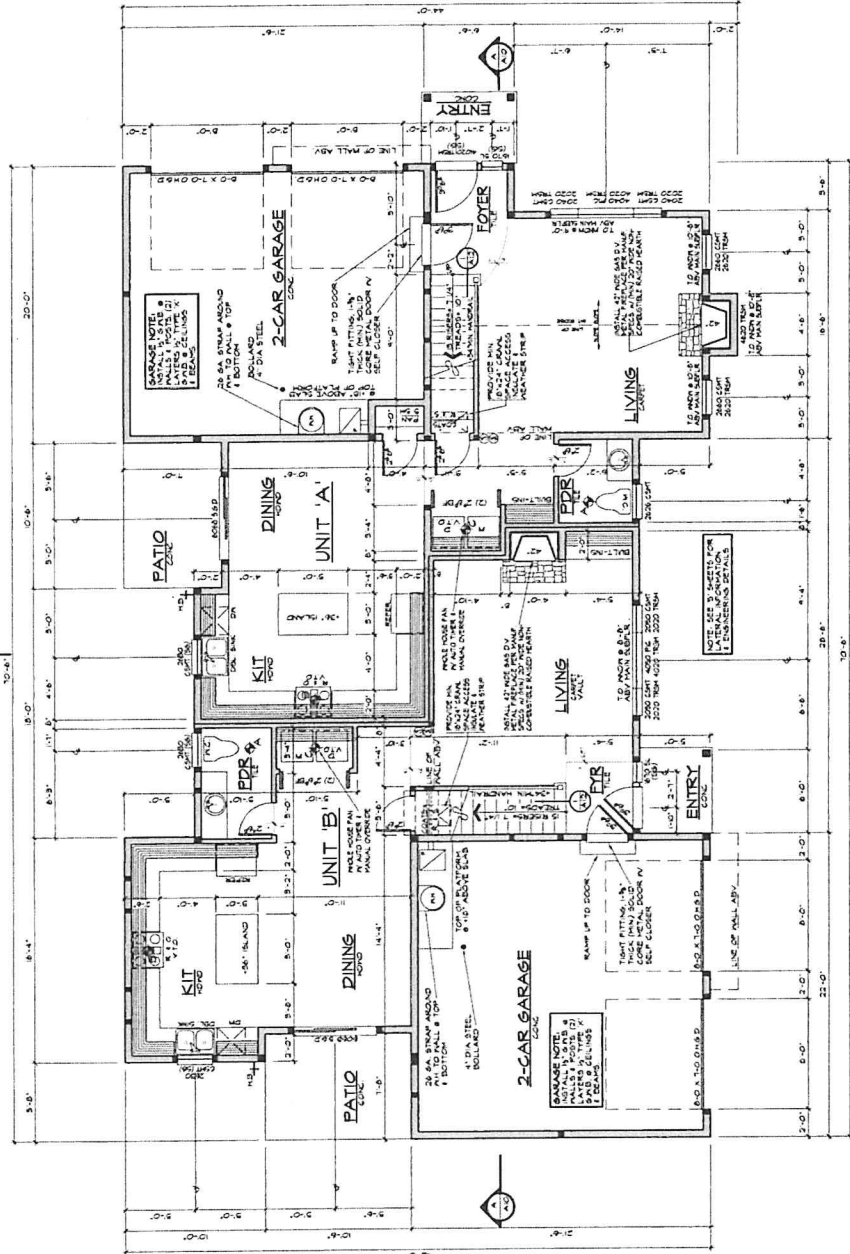
- LANDSCAPING LEGEND
- 10\"/>

TOM SHORT Duplex				
13404 NE 100th Street, Kirkland, WA 98033				
SIGNIFICANT TREES				
NO	DIAMETER	SPECIES	TREES WITHIN SITE INTERIOR	TREES
T-1	10"	Dog Fir	WEIGHING	WEIGHED
T-2	20"	Dog Fir	WEIGHING	WEIGHED
T-3	18"	Dog Fir	WEIGHING	WEIGHED
T-4	18"	Dog Fir	WEIGHING	WEIGHED
TOTAL			64"	48"

Total trees removed = 10" x 20" = 200 sq. ft.  
Total trees = 48" x 18" = 864 sq. ft.



SITE PLAN  
SCALE 1"=10'-0"



FLOOR PLAN NOTES:

1. CONTRACTOR SHALL VERIFY ALL NOTES AND DIMENSIONS.
2. ALL DIMENSIONS ARE SHOWN IN FEET AND INCHES.
3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
4. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
5. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
6. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
7. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
8. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
9. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
10. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
11. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
12. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

AREA SUMMARY

UNIT	UNIT A	UNIT B
UNIT A TOTAL FLOOR AREA	1,000 S.F.	1,000 S.F.
UNIT A TOTAL GARAGE AREA	1,000 S.F.	1,000 S.F.
UNIT B TOTAL FLOOR AREA	1,000 S.F.	1,000 S.F.
UNIT B TOTAL GARAGE AREA	1,000 S.F.	1,000 S.F.
UNIT C TOTAL FLOOR AREA	1,000 S.F.	1,000 S.F.
UNIT C TOTAL GARAGE AREA	1,000 S.F.	1,000 S.F.

MAIN FLOOR PLAN

ALARM SCHEDULE

ALARM	DESCRIPTION	LOCATION	NOTES
1	Smoke Detector	Living Room	See Note 1
2	Smoke Detector	Kitchen	See Note 1
3	Smoke Detector	Bedroom	See Note 1
4	Smoke Detector	Bathroom	See Note 1
5	Smoke Detector	Garage	See Note 1
6	Smoke Detector	Patio	See Note 1
7	Smoke Detector	Entry	See Note 1
8	Smoke Detector	Staircase	See Note 1
9	Smoke Detector	Backyard	See Note 1
10	Smoke Detector	Frontyard	See Note 1

UNIT A

GLAZING SCHEDULE

GLAZING	TYPE	UNIT	AREA	GLAZING	TYPE	UNIT	AREA
1	GLAZING	UNIT A	1,000 S.F.	1	GLAZING	UNIT A	1,000 S.F.
2	GLAZING	UNIT A	1,000 S.F.	2	GLAZING	UNIT A	1,000 S.F.
3	GLAZING	UNIT A	1,000 S.F.	3	GLAZING	UNIT A	1,000 S.F.
4	GLAZING	UNIT A	1,000 S.F.	4	GLAZING	UNIT A	1,000 S.F.
5	GLAZING	UNIT A	1,000 S.F.	5	GLAZING	UNIT A	1,000 S.F.
6	GLAZING	UNIT A	1,000 S.F.	6	GLAZING	UNIT A	1,000 S.F.
7	GLAZING	UNIT A	1,000 S.F.	7	GLAZING	UNIT A	1,000 S.F.
8	GLAZING	UNIT A	1,000 S.F.	8	GLAZING	UNIT A	1,000 S.F.
9	GLAZING	UNIT A	1,000 S.F.	9	GLAZING	UNIT A	1,000 S.F.
10	GLAZING	UNIT A	1,000 S.F.	10	GLAZING	UNIT A	1,000 S.F.

UNIT B

GLAZING SCHEDULE

GLAZING	TYPE	UNIT	AREA	GLAZING	TYPE	UNIT	AREA
1	GLAZING	UNIT B	1,000 S.F.	1	GLAZING	UNIT B	1,000 S.F.
2	GLAZING	UNIT B	1,000 S.F.	2	GLAZING	UNIT B	1,000 S.F.
3	GLAZING	UNIT B	1,000 S.F.	3	GLAZING	UNIT B	1,000 S.F.
4	GLAZING	UNIT B	1,000 S.F.	4	GLAZING	UNIT B	1,000 S.F.
5	GLAZING	UNIT B	1,000 S.F.	5	GLAZING	UNIT B	1,000 S.F.
6	GLAZING	UNIT B	1,000 S.F.	6	GLAZING	UNIT B	1,000 S.F.
7	GLAZING	UNIT B	1,000 S.F.	7	GLAZING	UNIT B	1,000 S.F.
8	GLAZING	UNIT B	1,000 S.F.	8	GLAZING	UNIT B	1,000 S.F.
9	GLAZING	UNIT B	1,000 S.F.	9	GLAZING	UNIT B	1,000 S.F.
10	GLAZING	UNIT B	1,000 S.F.	10	GLAZING	UNIT B	1,000 S.F.

UNIT B

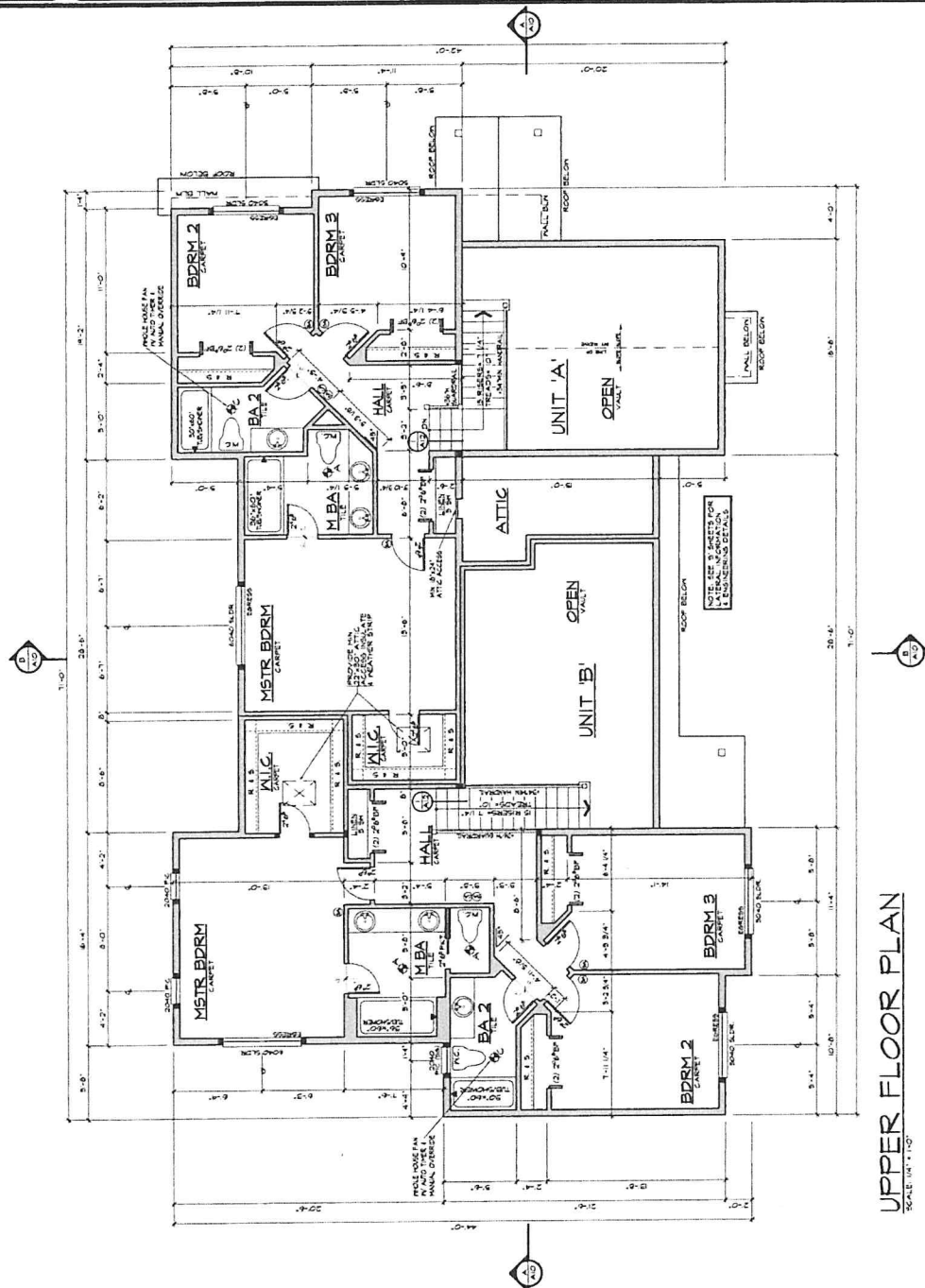
UNIT A

VENTILATION SCHEDULE

VENTILATION	TYPE	UNIT	AREA
1	VENTILATION	UNIT A	1,000 S.F.
2	VENTILATION	UNIT A	1,000 S.F.
3	VENTILATION	UNIT A	1,000 S.F.
4	VENTILATION	UNIT A	1,000 S.F.
5	VENTILATION	UNIT A	1,000 S.F.
6	VENTILATION	UNIT A	1,000 S.F.
7	VENTILATION	UNIT A	1,000 S.F.
8	VENTILATION	UNIT A	1,000 S.F.
9	VENTILATION	UNIT A	1,000 S.F.
10	VENTILATION	UNIT A	1,000 S.F.

VENTILATION SCHEDULE

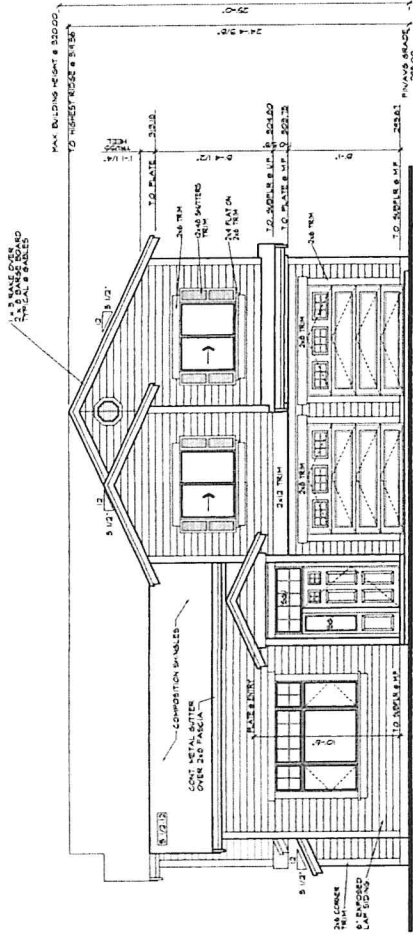
VENTILATION	TYPE	UNIT	AREA
1	VENTILATION	UNIT B	1,000 S.F.
2	VENTILATION	UNIT B	1,000 S.F.
3	VENTILATION	UNIT B	1,000 S.F.
4	VENTILATION	UNIT B	1,000 S.F.
5	VENTILATION	UNIT B	1,000 S.F.
6	VENTILATION	UNIT B	1,000 S.F.
7	VENTILATION	UNIT B	1,000 S.F.
8	VENTILATION	UNIT B	1,000 S.F.
9	VENTILATION	UNIT B	1,000 S.F.
10	VENTILATION	UNIT B	1,000 S.F.



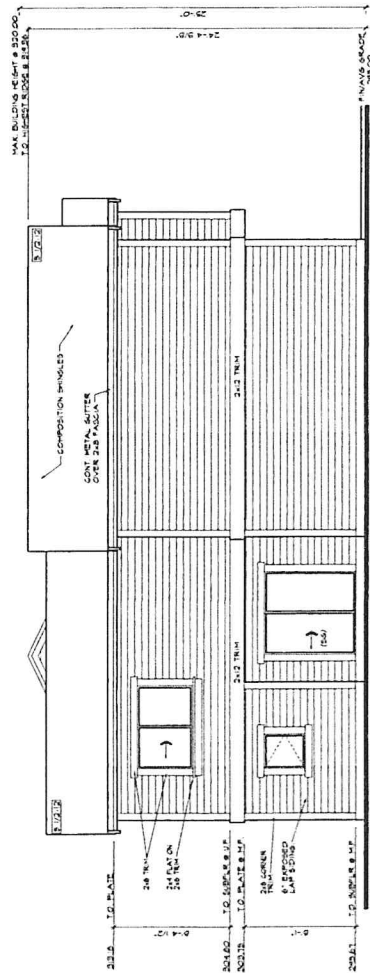
- FLOOR PLAN NOTES:**
1. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2009 IRC.
  2. EXTERIOR FINISHES SHALL BE IN ACCORDANCE WITH THE 2009 IRC.
  3. EXTERIOR DOORS SHALL BE SHOWN UNLESS OTHERWISE NOTED.
  4. EXTERIOR DOORS SHALL BE SHOWN UNLESS OTHERWISE NOTED.
  5. EXTERIOR DOORS SHALL BE SHOWN UNLESS OTHERWISE NOTED.
  6. EXTERIOR DOORS SHALL BE SHOWN UNLESS OTHERWISE NOTED.
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  16. EXTERIOR DOORS SHALL BE SHOWN UNLESS OTHERWISE NOTED.
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  18. EXTERIOR DOORS SHALL BE SHOWN UNLESS OTHERWISE NOTED.
  19. EXTERIOR DOORS SHALL BE SHOWN UNLESS OTHERWISE NOTED.
  20. EXTERIOR DOORS SHALL BE SHOWN UNLESS OTHERWISE NOTED.

**UPPER FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"





## SOUTH ELEVATION



NORTH ELEVATION

### ELEVATION NOTES

- 1. PROVIDE CONTINUOUS METAL BATTENS
- 2. PROVIDE ROOF VENTS PER REC. SECTION 6008.1 TYPICAL
- 3. PROVIDE ROOF FLASHING AT PLUMBING AND COUPLER FLASHING AT ALL ROOF PENETRATIONS INCLUDING CHIMNEYS
- 4. CONFORM TO SECTION 6008.1 REC. FOR ROOF FLASHING
- 5. PROVIDE INTERIOR STUMPING AT ALL DOORS AND WINDOWS. CALLS ALL JOINTS AND PENETRATIONS IN EXTERIOR WALL
- 6. BRICK TO BE SUPPORTED BY STEEL FRAMING AND SHALL NOT BEAR ON MASONRY
- 7. PROVIDE EIGHT (8) BRICKS TO SUPPORT EACH DOOR OR WINDOW. A SCORE OF AT LEAST 12 IN. FOR A MINIMUM OF 2 FEET
- 8. POST APPROVED NUMBERS OR ADDRESS ON THE DRILLING ADDRESS SHALL BE PLACED ON THE EXTERIOR FACE OF THE STREET FRONTING WALL AND LOCATED

WALL FLASHING NOTES:

[illegible]

**Andy Chow** <kachow@redmond.gov>

To

**Colin A. Sherrill** Hamid Korasani

CC

Paulette M. Norman

Feb 2 at 4:33 PM

Hamid,

I also confirmed that the 150' driveway separation from local street intersection in the residential area will not be applied. So you don't need a deviation for driveway separation.

For street lighting, the Heather South (formerly Ellsworth) project south of 100<sup>th</sup> is required to provide street light improvements at 100<sup>th</sup>/134<sup>th</sup> intersection. If they go first, you will not be required for street light improvements.

Hope this will help.

Thanks,

Andy

# VICINITY MAP



**ADDRESS**  
134th Ave NE  
Redmond, Washington 98033

**PARCEL NUMBER**  
1246700231

**SITE/LEGAL DESCRIPTION**  
THE WEST 75 FEET OF THE SOUTH 125 FEET IN  
BLOCK 154 OF BURKE AND FARRAR'S KIRKLAND  
ADDITION, PLAT 1, RECORD 1, PAGE 26 INCLUSIVE,  
AS PER PLAT, RECORDED IN VOL. 25 OF PLATS,  
PAGE 26 INCLUSIVE, RECORDS OF KING COUNTY.

**LOT COVERAGE**

STRUCTURES	PERCENTAGE
LOT AREA: 9,449.40 S.F.	
HOUSE/GARAGE AREA: 2,424.00 S.F.	
TOTAL AREA: 2,525.00 S.F.	95% ALLOWED

**IMPERVIOUS AREA**

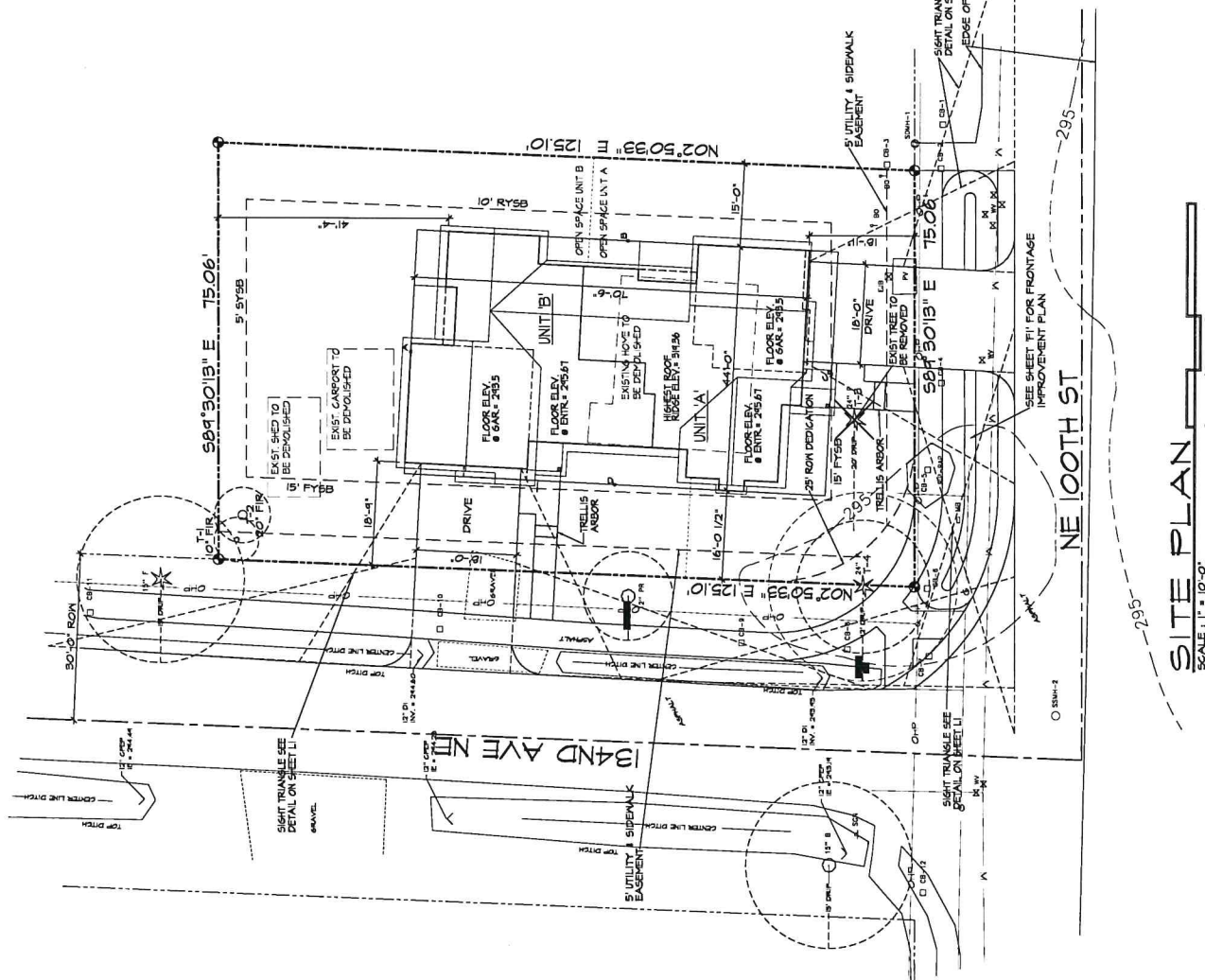
STRUCTURES	PERCENTAGE
LOT AREA: 9,449.40 S.F.	
HOUSE/GARAGE AREA: 2,424.00 S.F.	
PORCH/PATIO/DECK AREA: 35.00 S.F.	
DRIVEWAY/PARKING AREA: 185.00 S.F.	
TOTAL AREA: 5,129.00 S.F.	54.31% ALLOWED

**OPEN SPACE**

STRUCTURES	PERCENTAGE
LOT AREA: 9,449.40 S.F.	
HOUSE/GARAGE AREA: 2,424.00 S.F.	
OPEN SPACE UNIT A: 2,205.00 S.F.	
OPEN SPACE UNIT B: 5,449.00 S.F.	

**F.A.R.**

STRUCTURES	PERCENTAGE
LOT AREA: 9,449.40 S.F.	
HOUSE/GARAGE AREA: 2,424.00 S.F.	
OPEN SPACE UNIT A: 2,205.00 S.F.	
OPEN SPACE UNIT B: 5,449.00 S.F.	



**SITE PLAN**  
SCALE: 1" = 10'-0"

## HEIGHT CALCULATION

WALL	WALL	HEIGHT	PRODUCT
SEGMENT	LENGTH	ELEVATION	
A	44.00	238.00	12852.00
B	71.63	239.00	21189.80
C	44.00	238.00	12852.00
D	71.63	239.00	21189.80
TOTALS	231.26	1915.00	68083.60

AVERAGE EXIST. GRADE = TOTAL PRODUCTS / TOTAL WALL LENGTHS.

68083.60 / 231.26 = 294.42 AVE. EXIST. GRADE

MAX. HT. ALLOWABLE = 35.00' MAX. BLDG. ELEV.

294.42' + 35.00' = 329.42'

PROPOSED ROOF ELEVATION = 329.42'

MAX. ELEVATION = 329.42'

EXISTING GRADE AT MIDPOINT OF ALL SIDES

IS 295.00' (AT SITE) AVERAGE

EXISTING GRADE IS 295.00'

## TOM SHORT DUPLEX

NO.	DIA/METER	SPECIES	HEIGHT	WIND	WIND
			FACTOR	REPORTED	SHADE
T-1	10"	Doug Fir	1.0	10	10"
T-2	20"	Doug Fir	1.0	20	20"
T-3	16"	Doug Fir	1.0	24	X
T-4	18"	Doug Fir	1.0	24	24
TOTAL				78'	54"

Total trees removed (10" x 24" / 18" x 24") = 0  
 Trees to be planted (10" x 24" / 18" x 24") = 0

PROVIDE (10) NEW TREES PER  
 LANDSCAPING PLAN ON SHEET U  
 NEW TREES SHALL BE 6-8 FEET TALL  
 (MIN) AND 2.5 CALIPER (IN)

# DRAINAGE CONTROL PLAN

## SHORT DUPLEX

DATE: 11/11/2011  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 SCALE: 1" = 20'





# TEMPORARY EROSION AND SEDIMENTATION CONTROL REQUIREMENTS

THE IMPLEMENTATION OF THESE TESC PLANS AND THE CONSTRUCTION, MAINTENANCE AND REMOVAL OF THE TESC FACILITIES SHALL BE THE RESPONSIBILITY OF THE OWNER AND/OR THEIR CONTRACTOR UNTIL THE CONSTRUCTION IS COMPLETED. THE TESC FACILITIES SHALL BE MAINTAINED IN GOOD WORKING ORDER THROUGHOUT THE CONSTRUCTION PERIOD. THE TESC FACILITIES SHALL BE REMOVED AND THE SITE RESTORED TO ORIGINAL OR BETTER CONDITION AFTER THE CONSTRUCTION IS COMPLETED. THE TESC FACILITIES SHALL BE MAINTAINED IN GOOD WORKING ORDER THROUGHOUT THE CONSTRUCTION PERIOD. THE TESC FACILITIES SHALL BE REMOVED AND THE SITE RESTORED TO ORIGINAL OR BETTER CONDITION AFTER THE CONSTRUCTION IS COMPLETED.

- 1- THE IMPLEMENTATION OF THESE TESC PLANS AND THE CONSTRUCTION, MAINTENANCE AND REMOVAL OF THE TESC FACILITIES SHALL BE THE RESPONSIBILITY OF THE OWNER AND/OR THEIR CONTRACTOR UNTIL THE CONSTRUCTION IS COMPLETED.
- 2- THE TESC FACILITIES SHALL BE MAINTAINED IN GOOD WORKING ORDER THROUGHOUT THE CONSTRUCTION PERIOD.
- 3- THE TESC FACILITIES SHALL BE REMOVED AND THE SITE RESTORED TO ORIGINAL OR BETTER CONDITION AFTER THE CONSTRUCTION IS COMPLETED.
- 4- THE TESC FACILITIES SHALL BE MAINTAINED IN GOOD WORKING ORDER THROUGHOUT THE CONSTRUCTION PERIOD.
- 5- THE TESC FACILITIES SHALL BE REMOVED AND THE SITE RESTORED TO ORIGINAL OR BETTER CONDITION AFTER THE CONSTRUCTION IS COMPLETED.
- 6- THE TESC FACILITIES SHALL BE MAINTAINED IN GOOD WORKING ORDER THROUGHOUT THE CONSTRUCTION PERIOD.
- 7- THE TESC FACILITIES SHALL BE REMOVED AND THE SITE RESTORED TO ORIGINAL OR BETTER CONDITION AFTER THE CONSTRUCTION IS COMPLETED.
- 8- THE TESC FACILITIES SHALL BE MAINTAINED IN GOOD WORKING ORDER THROUGHOUT THE CONSTRUCTION PERIOD.
- 9- THE TESC FACILITIES SHALL BE REMOVED AND THE SITE RESTORED TO ORIGINAL OR BETTER CONDITION AFTER THE CONSTRUCTION IS COMPLETED.

## EROSION CONTROL SEED MIXTURE TABLE

A- CHEWINGS OF RED FESCUE	40 (% OF WEIGHT)
B- CRACK DOCK	40 (% OF WEIGHT)
C- REDTOP OR COLONIAL BENTGRASS	10 (% OF WEIGHT)
D- WHITE DUTCH CLOVER	10 (% OF WEIGHT)

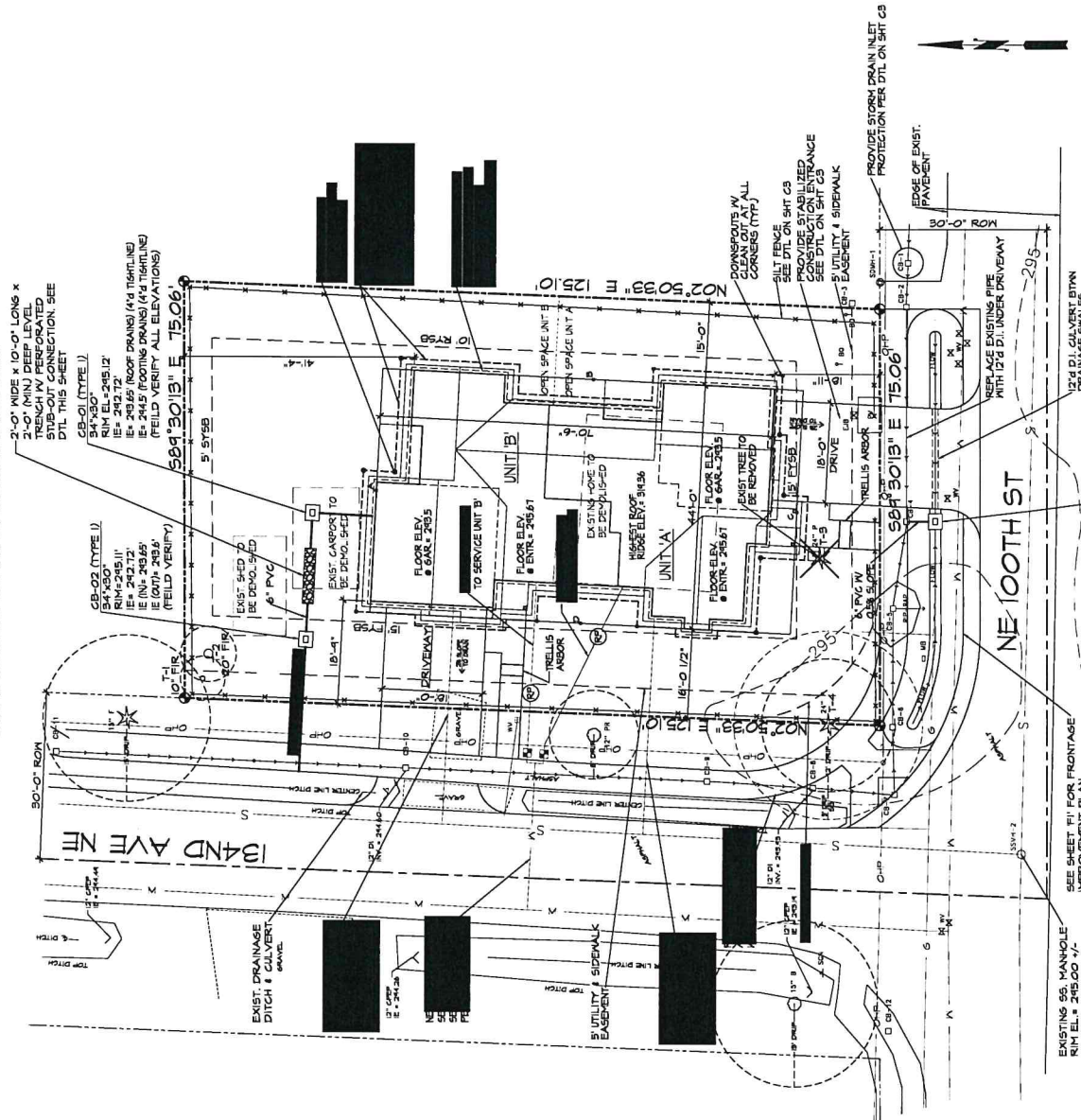


Know what's below.  
Call before you dig.  
811

### CAUTION:

BEFORE ANY CONSTRUCTION OR DEMOLITION WORK BEGINS, THE OWNER OR CONTRACTOR SHALL OBTAIN A PERMIT FROM THE LOCAL GOVERNMENT. THE PERMIT SHALL REQUIRE THE SUBMITTAL OF A TESC PLAN. THE TESC PLAN SHALL BE REVIEWED AND APPROVED BY THE LOCAL GOVERNMENT. THE TESC PLAN SHALL BE MAINTAINED IN GOOD WORKING ORDER THROUGHOUT THE CONSTRUCTION PERIOD. THE TESC PLAN SHALL BE REMOVED AND THE SITE RESTORED TO ORIGINAL OR BETTER CONDITION AFTER THE CONSTRUCTION IS COMPLETED.

QUARTER: SW- SECTION: 34- TOWNSHIP: 26- RANGE: 5  
SW 1/4 OF SECTION 34, TOWNSHIP 26, RANGE 5 KING COUNTY WA



**LEGEND**  
 PROPERTY LINE  
 CONTOUR LINE  
 VEGETATED BUFFER LIMIT  
 SILT FENCE

SEE SHEET T11 FOR FRONTAGE IMPROVEMENT PLAN

## TEMPORARY EROSION & SEDIMENTATION CONTROL PLAN

0 20 40



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SAZI DESIGN GROUP LLC  
 6608 1170TH AVE NE  
 KIRKLAND WA 98033  
 (425) 214-2200  
 F: (425) 886-8867

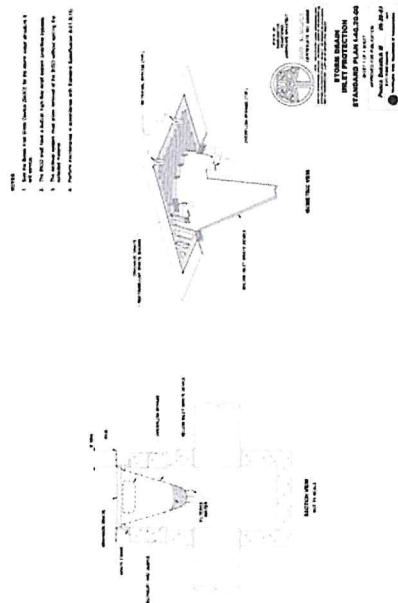
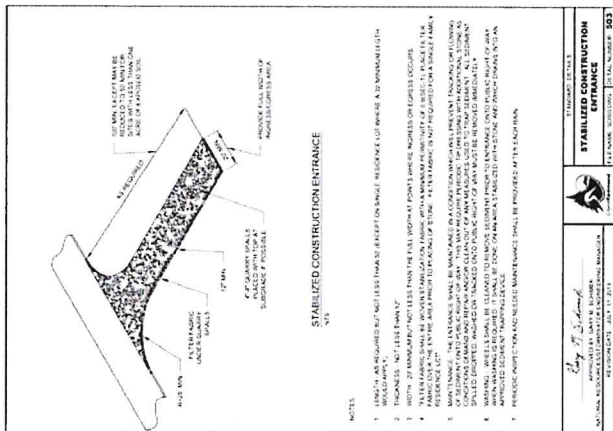
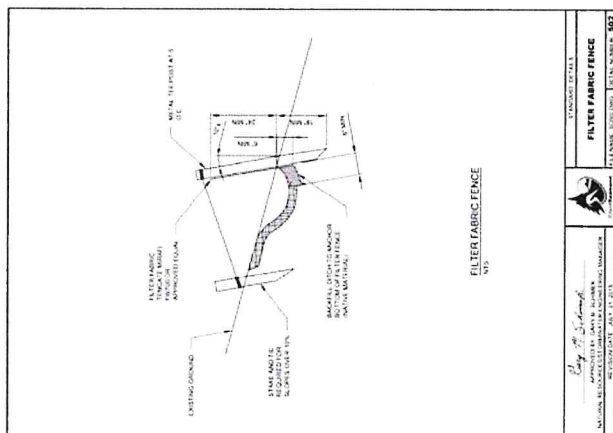
## SHORT DUPLEX TEMPORARY EROSION & SEDIMENTATION CONTROL PLAN

DATE	BY	REVISION
11/11/2021	SAZI	1.0

C2

1747







SAZD DESIGN GROUP LLC  
6808 110TH AVE NE  
REDLAND WA 98033  
T: (425) 214-2280  
F: (425) 880-8847

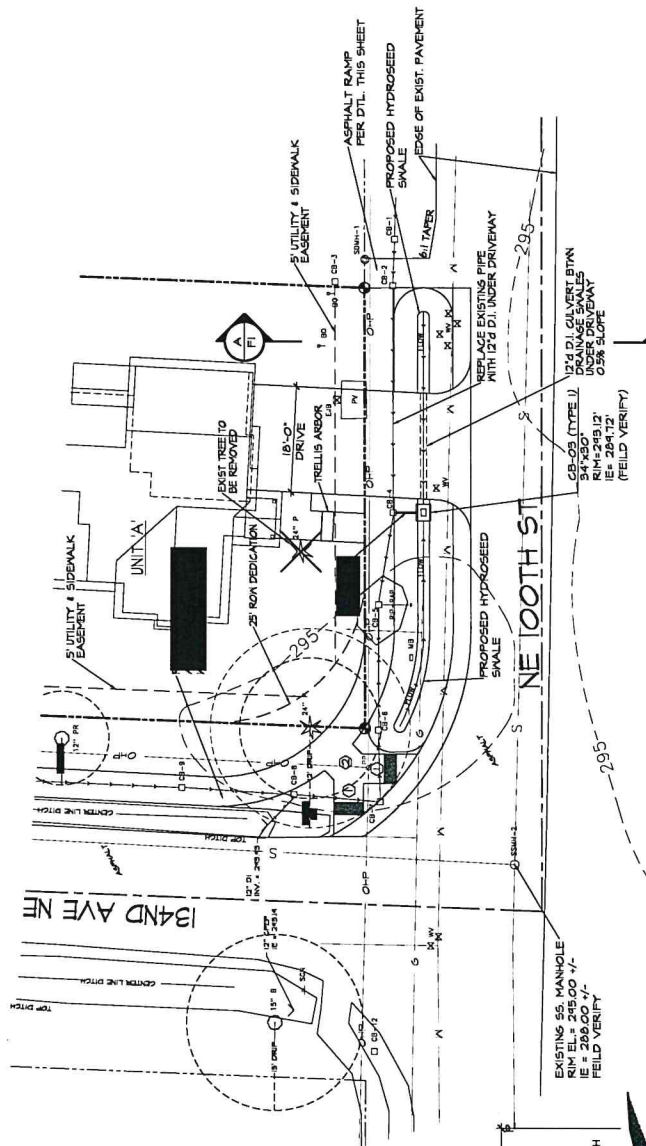
# TEMPORARY EROSION & SEDIMENTATION CONTROL PLAN

## SHORT DUPLEX

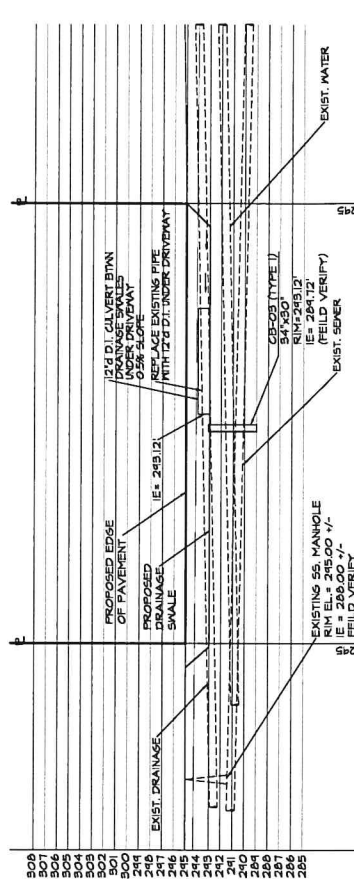
DATE	01/26/2020
BY	SAZD
CHECKED	SAZD
APPROVED	SAZD

SCALE	1"=40'
DATE	01/26/2020

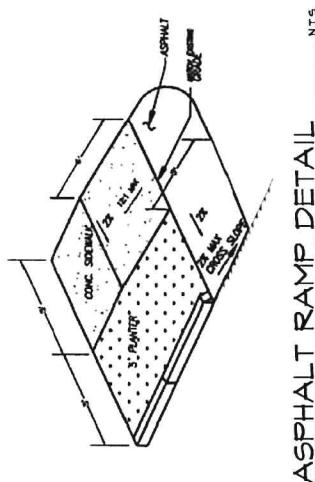
QUARTER: SW- SECTION: 34- TOWNSHIP: 26- RANGE: 5  
SW 1/4 OF SECTION 34, TOWNSHIP 26, RANGE 5 KING COUNTY WA.



### FRONTAGE IMPROVEMENT PLAN

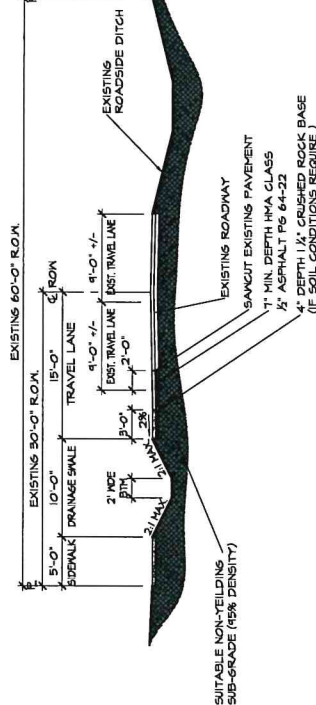


NE 100TH PROFILE  
NTS  
HORIZ. SCALE 1"=40'  
VERT. SCALE 1"=5'



### ASPHALT RAMP DETAIL

NTS



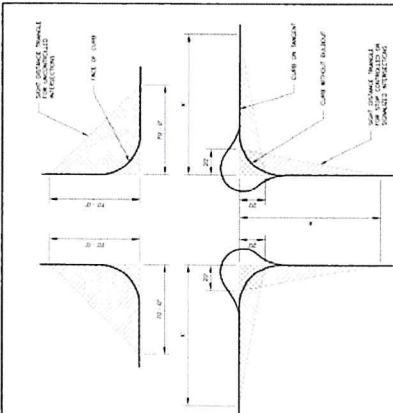
### SECTION 'A-A'

THROUGH NE 100TH ST. N.T.S.

### ADA NOTES:

- MINIMUM 4% LANDING NOT TO EXCEED 15% (TARGET) RUNNING OR CROSS SLOPE.
- ALL SIDEWALK RAMP SHALL NOT EXCEED 15% RUNNING OR CROSS SLOPE UNLESS OTHERWISE NOTED.
- RAMP/LANDING SLOPES CONSTRUCTED IN EXCESS OF 15% SHALL BE RECONSTRUCTED AT THE REQUEST OF THE CITY OF REDMOND INSPECTOR.
- ALL SIDEWALKS SHALL NOT EXCEED 2% CROSS SLOPE.
- ALL ADA PEDESTRIAN ACCESS RAMP, LANDINGS, AND DETECTABLE WARNING SURFACES SHALL BE RECONSTRUCTED TO MEET THE CITY OF REDMOND STANDARD DETAILS 307-310.





PLAN VIEW

- NOTES:
1. SEE 100' FEET ALONG ANYTHING, STREET'S CORNER AT STREET ALONG (LOCAL, ACCESS, STREET)
  2. SIGHT TRIANGLE DIMENSIONS SHALL BE 100' FEET ALONG (LOCAL, ACCESS, STREET)
  3. SIGHT TRIANGLE DIMENSIONS SHALL BE 100' FEET ALONG (LOCAL, ACCESS, STREET)
  4. SIGHT TRIANGLE DIMENSIONS SHALL BE 100' FEET ALONG (LOCAL, ACCESS, STREET)
  5. SIGHT TRIANGLE DIMENSIONS SHALL BE 100' FEET ALONG (LOCAL, ACCESS, STREET)

**T&L Construction**
  
 134th Avenue NE, Suite 100, Redmond, WA 98073

LANDSCAPING LEGEND

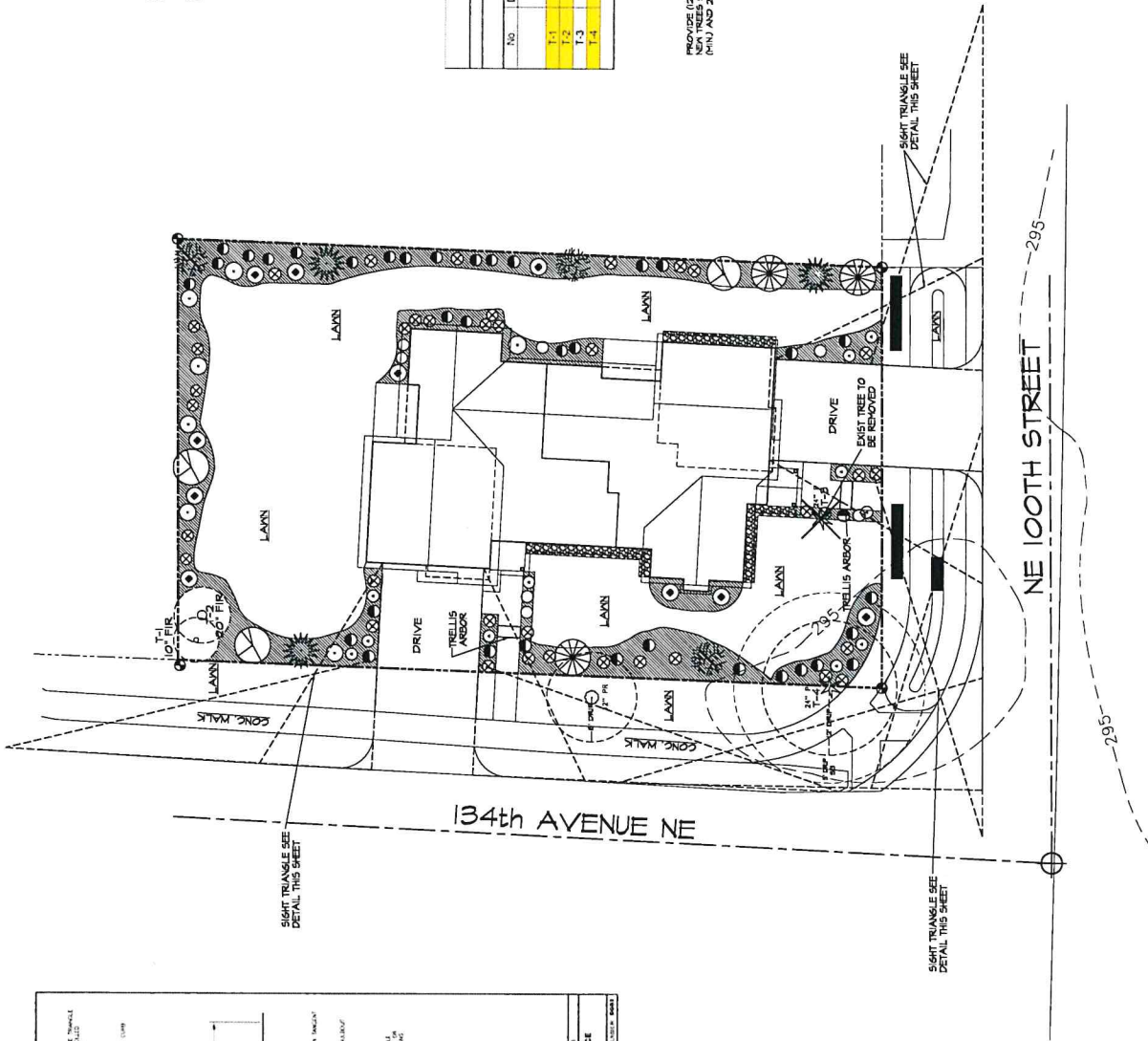
- BITKA SPRING
- VINE MAPLE
- SHORE PINE
- PAPER BIRCH
- BALD HIP BOGE
- GREENING CRESSON GRASS
- COMMON SYCAMORE (REDWOOD)
- REDWOOD CALIFORNIA (REDWOOD)
- SHORE PINE
- RED-FLORING CURRENT
- KINKERICK
- MALCH (2' DEEP)
- GRAVEL

**TOM SHORT Duplex**  
134th NE 100th Street, Redmond, WA 98073

SIGNIFICANT TREES		TREES WITHIN SITE INTERIOR	
NO.	DIA. @ 4.5' HGT.	SPECIES	STATUS
T-1	10"	Doug Fir	1.0
T-2	20"	Doug Fir	1.0
T-3	18"	Doug Fir	1.0
T-4	18"	Doug Fir	1.0
TOTAL		78"	54"

Total Trees to be removed: 24' x 24' x 11.000  
 (24' x 24' x 11.000)

PROVIDE (12) NEW TREES PER PLAN.  
 NEW TREES SHALL BE 8-10 FEET TALL  
 (MIN) AND 2.5" CALIPER (MIN)



134th AVENUE NE

NE 100TH STREET

SHORT DUPLEX

TEMPORARY EROSION & SEDIMENTATION CONTROL PLAN

SAZB DESIGN GROUP LLC  
 6808 110TH AVE NE  
 REDMOND, WA 98073  
 T: (425) 214-2200  
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 11-02